

352.0771
F49 or
1911

Findlay, Ohio - Ordinance

THE REVISED ORDINANCES OF THE CITY OF FINDLAY OHIO

REVISED AND CODIFIED
BY
J. FRANK AXLINE

Done Under the Direction of
THOS. W. LANG
City Solicitor

AUTHORIZED BY THE CITY COUNCIL



Containing all the General Ordinances and the Rules
of the Board of Health, in force November 1st, 1911,
to which are appended, uncodified, such special Ordin-
ances as are deemed of Public Interest

*To the Honorable City Council
of the City of Findlay, Ohio :*

Gentlemen :

Having thoroughly examined the within codification of the general ordinances of the City of Findlay, Ohio, and having compared the same with the original ordinances of said city, we do hereby approve said codification and recommend its acceptance by your Honorable Body.

*J. C. EDIE,
Clerk of Council*

*E. L. GROVES,
Mayor*

7D20-CL.

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1911

Findlay Becomes City

The following taken from the records of the City:—

Whereas, pursuant to the petition by more than 100 of the freeholders of the Village of Findlay and the action thereupon and heretofore duly had by the Council of the City of Findlay, the proposition was duly submitted to the electors of said Village as required by law at the annual Municipal election held in said Village on Monday, April 4th, A. D. 1887, whether said Village shall be advanced to a City of the second class. The certificate of election duly made by the Clerks and Judges and filed with the Council shows that 1251 votes were cast at said election of which 1116 were cast for advancement and 135 against advancement.

By the last federal census there were less than 5000 inhabitants in said Village and not sufficient for a City of the second class.

Pursuant to action of Council had according to law a census was duly taken and verified and shows the population within the corporate limits of said Village to be 10221.

CENSUS BY WARDS

First Ward	2611	Third Ward	3322
Second Ward	2145	Fourth Ward	2143

Council on May 20th, 1887, passed a resolution declaring the Village of Findlay to be a City of the third grade of the second class, and to be known and designated as the City of Findlay, and directed a transcript of the record certified to the County Recorded and he in turn to certify same to the Secretary of State.

1 Nov. 20 - Rec. g.

Mayors of the City and Village of Findlay

The Village of Findlay was incorporated by act of the legislature March 17th, 1838, and an election ordered to take place the following month (April), at which time John Adams was elected Mayor. Mr. Adams was succeeded by William Porterfield.

The charter was repealed March 13th, 1843; but two years later (March 4, 1845) the act of incorporation, passed in 1838, was declared in force.

NAME	FROM	TO
U. A. Ogden	1845	1847
Abraham Younkin	1847	1852
George W. Galloway	1852	1854
Jacob Carr	1854	1856
N. Y. Mefford	1856	1857
Josiah Powell	1857	1858
Charles C. Pomoroy—April, 1858; resigned July 20, 1858, Ezra Brown appointed to fill un- expired term.		
Ezra Brown	1859	1860
Israel Green	1860	1861
G. W. Twining	1861	1864
Jacob Carr	1864	1867
Nathaniel W. Filkin	1867	1868
James A. Bope	1868	1870
Geo. F. Pendleton	1870	1872
Daniel B. Beardsley	1872	1874
William Gribben	1874	1876
Jacob Carr	1876	1878
William Vance	1878	1882
W.W. Siddall	1882	1886
W. L. Carlin, 1886 to Jan. 9th, 1888 (resigned).		
J. R. Kagy, Jan. 9th, 1888, to April 16th, 1888.		
Theo. Totten	1888	1890
Thomas Meehan	1890	1892
Beecher W. Waltermire	1892	1894
Geo. Nemeyer	1894	1896
David T. Winders	1896	1898

NAME	FROM	TO
Geo. Nemeyer	1898	1900
Chas. E. Watson	1900	1902
C. B. Metcalf	1902	1906
Jas. B. Walker	1906	1910
E. L. Groves	1910

POPULATION

1831	50	1870	3,315
1840	560	1880	4,633
1850	1 256	1890	18,553
1860	2,467	1900	17,613
1910		14,858	

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AN ORDINANCE

To Revise, Rearrange, Codify and Publish
the General Ordinances of the
City of Findlay, Ohio

*Be it ordained by the Council of the City of Findlay, State
Ohio:*

That the ordinances of the City of Findlay, Ohio,
be revised, rearranged, codified and published in book
form, as follows, to-wit:

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- CHAPTER I.—*Animals.*
- CHAPTER II.—*Awnings, Signs.*
- CHAPTER III.—*Barbed Wire Fences.*
- CHAPTER IV.—*Boards.*
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- CHAPTER XXIII.—Police Department.*
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CHAPTER XXVI.—Sewers.
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CHAPTER XXX.—Speed of Locomotives
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CHAPTER XXXIII.—Trees.
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CHAPTER I.

ANIMALS.

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SECTION 1. That it shall be unlawful for any owner or owners or any person or persons, having the custody or control of any cow, horse, mule, ass, swine, sheep, goat, turkey, goose, duck or chicken, or of any other animals or fowls of the kind herein enumerated, to suffer or permit the same to run at large in any street, avenue, alley or public ground of the City, or upon any unenclosed land, or to cause or permit such animals to be herded, kept or retained for the purpose of grazing the same upon premises other than those owned or occu-

pied by the owner or person having the custody of such animals or fowls.

SEC. 2. Any person violating any of the provisions of the preceding section, shall upon conviction thereof be fined in any sum not less than One Dollar nor more than Five Dollars. Continued violation after notice or prosecution shall be held an additional offense for each and every day of its continuance.

SEC. 3. It shall be the duty of police officers to seize and impound each and every animal running at large, contrary to the provisions of this ordinance and to give notice to the person or persons owning or controlling the said animal, if known and if not known, it shall be the duty of said officers to give notice of each seizure by publication in some newspaper of general circulation in the City of Findlay, Ohio. Said printed notice shall contain a pertinent description of the animal so seized and impounded, and state that if the same be not called for within three days after the first publication and all the penalties imposed under Section 2 of this codification, together with costs and charges of seizing and impounding the same and the cost of printing said notice paid, that the same shall be sold as provided by ordinance. And if said costs, penalties and charges mentioned hereinbefore shall not be paid within three days from the giving of said notice by publication or otherwise as the case may be, then the Chief of Police shall sell said animals after having given at least two days' notice of the time and place of sale, in some newspaper published in said City, and at the time and place therein specified the Chief of Police shall sell said animal or animals at public auction for cash and after deducting all costs, penalties and charges, pay the balance of the money arising from such sale into the Treasury of the City to be paid over to the person or persons entitled to receive the same, upon proper proof of the ownership thereof.—*Vol. D, Page 103.*

SEC. 4. That it shall be unlawful for any person or persons owning or having the custody or control of any horse, cow, or mule, to tie, tether, or fasten the same for the purpose of grazing in or upon any street, sidewalk, alley, park, common or public ground within the corporate limits of the City of Findlay, Ohio, or to so tie, tether or secure any such animal for said purpose in such proximity, or in such position that it may have access to or upon any sidewalk, street, alley, park, common or public ground of said City.

SEC. 5. That any person violating any of the provisions of the foregoing section, shall upon conviction thereof be fined in any sum not less than One (\$1.00) Dollar, nor more than Five (\$5.00). Continued violation after notice or prosecution shall be held an additional offense for each and every day of its continuance.—*Vol. D, Page 191.*

SEC. 6. That it shall be unlawful for any person to leave any horse, gelding, mare, mule or ass standing in any street, lane, alley or public ground in the City unless the same be securely hitched or fastened, or some proper person left in charge thereof.

SEC. 7. That whoever violates any of the provisions of Section 6 shall, upon conviction thereof, be fined in any sum not less than One Dollar nor more than Five Dollars for each and every offense.—*Vol. B, Page 93.*

SEC. 8. That it shall be unlawful for the owner, harborer, or any other person having charge, custody, or control of any dog, to permit the same to run at large within the City of Findlay, Ohio, without a license therefor duly issued by the Mayor of said City.

SEC. 9. Any person desiring a license as provided in Section 8 hereof shall make application therefor in writing, stating the sex, breed and color of such dog for which the license is sought which application shall be accompanied by a fee of Two (\$2.00) Dollars for an unsplayed female dog and a fee of One (\$1.00) Dollar for any other animal of the dog kind. The Mayor shall issue to each applicant a metallic license tag upon which shall be stated the number of such licenses which license tag shall be securely fastened by such applicant to a collar to be provided for such animal by said applicant which collar and tag shall be placed upon the dog so licensed and shall be worn by it at all times while running at large within the City.

The finding of any dog at large without such collar and tag shall be prima facie evidence that the same is at large contrary to the provisions of this ordinance.

Said license shall be valid for one year from the date of its issuance and neither such license nor said tag shall be transferable to any other dog than the one designated in such application.

SEC. 10. The owner, harborer, or person having the care, custody, control of any dog running at large within the City of Findlay, Ohio, is hereby required to keep the same securely muzzled at all times between the fifteenth day of June and the first day of September of each year in addition to complying during said period with the requirements of Sections 8 and 9 of this ordinance.

SEC. 11. Any person finding a dog running at large without the collar and license tag as provided in Section 9 of this ordinance, or without a muzzle during the time provided in Section 10 of this ordinance is hereby authorized to capture such animal and deliver such animal to the City Pound provided for such purpose, and upon delivery of said dog to said Pound, such person shall be entitled to a fee of Twenty-five (25) Cents for said dog so delivered, to be paid by the City of Findlay, Ohio, out of a fund which is hereby established and designated as "Dog Fund," upon presenting to the City Auditor a certificate of the Police Official to whom such animal was delivered.

SEC. 12. The Mayor is hereby authorized and directed to provide a suitable Pound wherein all animals of the dog kind, found running at large contrary to the provisions of this ordinance shall be impounded, which pound shall be under the charge of the Police Officers of said City. The owner, harborer or person having the care, control or custody of any dog at large contrary to the provisions of this ordinance, so delivered to said Pound, may redeem the same upon payment to the officer in charge thereof of a fee of Fifty (50) Cents and the additional sum of Twenty-five (25) Cents for each day such animal has been confined in said Pound. All dogs not so redeemed within five days from the time of impounding shall be killed by the Police Officers of said City and delivered to the reduction plant or otherwise disposed of according to law.

SEC. 13. Any person removing any collar, license tag or muzzle

from any dog without authority or consent of the owner, harborer or person having care, custody or control thereof shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than Five Dollars nor more than Twenty-five Dollars and costs of prosecution.

SEC. 14. The fees paid for license tags or for the redemption of, keeping or impounding dogs shall be paid by the Officer receiving the same, into the City Treasury and placed to the credit of the Dog Fund.

Out of said Dog Fund shall be paid the cost of providing all license tags, the reward for capturing dogs at large contrary to the provisions of this ordinance, the cost of keeping such dogs during the time they are confined in the Dog Pound, and the cost of providing and maintaining a Dog Pound.—*Vol. D, Page 205.*

SEC. 15. That it shall be unlawful for any person to sell any live domestic animals at public auction in the streets or other public places within the City of Findlay, Ohio.

SEC. 16. Any person violating any of the provisions of Section 15 of this ordinance shall upon conviction thereof be fined in the sum of not less than Ten Dollars (\$10.00) nor more than Twenty-five Dollars (\$25.00.)—*Vol. D, Page 162.*

SEC. 17. That it shall be unlawful for the owner of any stud horse or jack, or any other person having charge of or control over any stud horse or jack, to exhibit the same or suffer it to be exhibited in any street, alley, common or public ground or lot in said City or to let the same to any mare in any street, alley, common, public ground or lot in said City; and any person who shall in any way violate any or either of the provisions of this section shall, upon conviction thereof, be fined in any sum not less than five nor more than Twenty Dollars for each and every offense.

SEC. 18. It shall be unlawful for the owner or keeper of any stallion or jack, or any other person having the charge or control of any stud horse or jack, to keep the same in any building, stable or inclosure within said City for the purpose of letting the same to mares, as a business occupation, to the injury, annoyance or damage of the public, or any person or persons owning property, or residing in the neighborhood or in said City, or of letting therein or in any such building, stable or inclosure in said City, any such stallion or jack to any mares to the injury and annoyance or damage of the public or of any person or persons owning property or residing in the neighborhood or in said City. Any person who shall violate either or any of the provisions of this section, shall be deemed guilty of an offense, and on conviction thereof shall be fined in any sum not exceeding Twenty-five (\$25.00) Dollars.—*Vol. A, Page 164-228.*

SEC. 19. That it shall be unlawful for any person or persons within the limits of the City to over-drive, overload, torture, torment, deprive of necessary sustenance or to unnecessarily beat or needlessly mutilate or kill any animal or to impound or confine any animal in any place and fail to supply the same during such confinement with a sufficient quantity of good wholesome food and water or to carry in or upon any vehicle or otherwise any animal in a cruel or inhuman man-

ner, or to keep any cow or other animal in any enclosure without wholesome exercise and change of air, or to feed any cow on food that produces impure or unwholesome milk or to abandon to die any maimed, sick, infirm, or diseased animal, or for a person or corporation engaged in transporting live stock to detain such stock in the railroad cars or in compartments for a longer continuous period than twenty-four hours after the same are so placed without supplying the same with necessary food, water and attention or to permit such stock to be so crowded together as to overlie, crush, wound or kill each other.

SEC. 20. That every person, persons or corporation guilty of any offense mentioned in Section 19, shall upon conviction thereof be fined in any sum not more than One Hundred (\$100.00) Dollars and not less than Five (\$5.00) Dollars.—*Vol. B, Page 67.*

CHAPTER II.

AWNINGS AND SIGNS.

SECTION 21 Height of.

SECTION 22 Penalty.

SECTION 23 Signs not to be posted on Telephone and Telegraph Poles.

SECTION 24 Penalty.

SECTION 21. It shall be unlawful for any person or persons to suspend or maintain any sign or awning over any public street, alley, sidewalk or public way within the corporate limits of the City of Findlay, so that the lowest part of the same shall be less than seven (7) feet from the line of such public street, alley, sidewalk or public way.

SECTION 22. Any person or persons violating Section 21 of this ordinance shall be fined not less than Five (\$5.00) Dollars nor more than Twenty-five (\$25.00) Dollars.—*Vol. D, Page 5.*

SECTION 23. It shall be unlawful for any person to paste or place or attach any poster, bill or advertisement upon any of the telephone, electric light or telegraph poles standing in the streets, highways or public places of said City of Findlay.

SECTION 24. Anyone violating any of the provisions of Section 23 of this ordinance shall be fined in any sum not exceeding Five (\$5.00) Dollars and cost of prosecution.—*Vol. of Printed Ordinances, Page 1, Vol. I.*

CHAPTER III.

BARBED WIRE FENCES.

SECTION 25 Not to be constructed.

SECTION 26 Not to be maintained.

SECTION 27 Penalty.

SECTION 25. That it shall be unlawful for any corporation, per-

son or persons to place or construct or cause to be placed or constructed any Barbed Wire Fence on or along any street, alley, or public ground, or the street, alley or public ground line of any lot or parcel of land, within the limits of said City.

SEC. 26. That it shall be unlawful for any corporation, person or persons to keep and maintain any barbed wire fence heretofore constructed on or along any street, alley or public ground or along the street, alley, or public ground line of any lot or parcel of land within the limits of said City, and such corporation, person or persons keeping or maintaining any barbed wire fence heretofore constructed, as above provided, shall within ten days after written notice has been served upon such corporation, persons or persons, by the City Street Commissioner, remove such barbed wire fence or cause the same to be removed, and each and every day after the expiration of the time named in said notice, that such corporation, person or persons neglects to remove such barbed wire fence, shall be considered an additional offense.

SEC. 27. Whoever constructs or causes to be constructed a barbed wire fence contrary to the provisions of Section 25, or whoever neglects or refuses to comply with Section 26, after the service of notice as therein provided, shall, upon conviction thereof, for each and every offense, be fined in any sum not more than Twenty-five (\$25.00) Dollars nor less than Two (\$2.00) Dollars and costs of prosecution.—*Vol. B, Page 440.*

CHAPTER IV.

BOARDS.

SECTION 28 Board of Health.

SECTION 28. That under and in pursuance of the authority conferred and the duty imposed upon Council by the Revised Statutes of the State of Ohio, in such case made and provided, a Board of Health in and for said City of Findlay, Ohio, be and the same is hereby established, to be constituted and its members appointed in accordance with law.—*Vol. D, Page 194.*

CHAPTER V.

BUILDINGS NUMBERED.

SECTION 29 How done.
 SECTION 30 By whom done.
 SECTION 31 May be done by City—When?
 SECTION 32 Penalty for defacing.
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 SECTION 36 Mayor to certify to County Auditor.

SECTION	37	Regulation for public halls, etc.
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SECTION	39	Theatres to have Asbestos Curtain.
SECTION	40	Stage of Theatre to have flues.
SECTION	41	Theater to have stand pipes.
SECTION	42	Application of ordinance.
SECTION	43	Penalty.

SECTION 29. That the names of all streets in said City shall be marked at the corners thereof, and all buildings therein shall be numbered by numbers legibly placed thereon.

SECI 30. Said numbering shall be done upon the Philadelphia or Centenary System. The Blanchard river shall be the dividing line between north and south, and Main Street the dividing line between east and west; each twenty-five feet shall be allowed to a number. All lots and buildings north of the Blanchard river shall be lots north, and all south of said river shall be south. All buildings and lots west of Main Street shall be designated as numbers west; and all lots east of said street as numbers east. The even numbers shall be placed on the west side of all streets, all streets running north and south and the odd numbers on the east side of such streets, even numbers shall be placed on the north side of all streets running east and west, and the odd numbers on the south side of such streets.

SEC. 31. Said numbers shall not be less than two and one-half inches in size and placed conspicuously on each building, and so placed by the respective owners thereof within thirty days after the taking effect of this ordinance; and in case any owner of any building fails to place the number on any building owned by him as required by this ordinance, the same shall be done by the City, and the cost thereof shall be assessed upon the lots or lands on which the same is placed, and collected as other assessments.

SEC. 32. Any person or persons who shall willfully obstruct or interfere with any person employed by the City to place such names or numbers, or who tears down, removes or defaces the same, shall, upon conviction thereof, be fined in any sum not less than One nor more than Five Dollars.—*Vol. A, Pages 457-508.*

SEC. 33. That it shall hereafter be unlawful for any person or persons to erect any building or to add to or improve any building within the City Limits of Findlay, where the cost or estimated cost of the same shall exceed One Hundred Dollars in value, without first procuring from the Mayor of the City a written or printed permit, for such building, addition or improvement.

SEC. 34. That any person or persons violating the provisions of Section 33, shall upon conviction thereof be fined in any sum not less than Five Dollars nor more than Twenty-five Dollars.

SEC. 35. That it shall be the duty of the Mayor upon application to him made, giving the estimated cost of said building, addition or improvement the lot and land upon which the same is to be situated, and the payment to him of the sum of Fifty Cents, to be paid into the Treasury of said City, to issue to the party requesting the same, a permit as provided for in Section 33.

SEC. 36. That the Mayor shall keep a record of said permits issued by him together with the facts required in said application, and shall on or before the first day of April of each year, report the same to the Auditor of Hancock County, Ohio.—*Vol. C, Page 323.*

SEC. 37. That every theater and public hall devoted to the uses or accommodation of the public, shall have its outlets leading to the streets including the open court and corridor wall, all properly lighted during every performance or gathering of people and the same shall remain lighted until the entire audience has left the premises.

All exits in public halls and theaters shall have the word "Exit" in letters at least six inches high applied to the inside of every such exit, and a red light located on the inside of every exit. Distinct and separate places of exit and entrance shall be provided for each gallery above the first. A common place of exit and entrance may serve for the main floor of the auditorium and the first gallery, provided its capacity be equal to the aggregate capacity of the outlets from the main floor and the said gallery. Emergency exits and stairways shall be provided outside of the walls of all public halls and theaters the seating capacity of which is more than three hundred persons. The average width of such emergency exits which shall be provided for each floor, balcony and gallery of such building shall be one-half of that provided for the main entrance; and no emergency exit, door or stairway shall be less than three feet in width.

The frame work of the stairs shall be made of iron, the treads of wood. These emergency exits shall be kept free of obstruction of all kinds including snow. That where in the opinion of the Fire Chief and the Director of Public Safety the main exit and outlet of any such hall or theater may be cut off by fire said Fire Chief or the Director of Public Safety may require said hall or theater to be provided with ample emergency exits in some other part of the building.

SEC. 38. That all aisles and passage-ways in such public halls and theaters, shall be kept free from camp stools, chairs, sofas and other obstructions and no person or persons shall be allowed to stand in or occupy any of said aisles or passage-ways, so as to obstruct the same during the performance, service, exhibition, lecture, concert, ball or any public assembly; nor shall there be any chairs, settees or camp stools, in such aisles or corridors at such time or occasion. All doors shall open outward and shall not be so placed as to reduce the width of the passage above required. All doors to have fastenings on the inside only; fastenings to be so arranged as not to obstruct or prevent instant and easy egress to the same; during all assemblies said doors must be unlocked at all times and be opened at least once before each assemblage. This section shall apply to all churches.

SEC. 39. That in every theater the main curtain opening shall have an iron or asbestos curtain; and if asbestos, consisting of asbestos fibre woven in cloth. Said asbestos curtain shall be suspended on wire cable and run in metal sheaves and frame which shall be bolted to a brick wall by bolts. The curtain shall be so arranged that the same can be easily lowered or raised by one man; and shall in all respects be constructed and maintained to the satisfaction of the Chief of the Fire Department and Director of Public Safety. Said curtain shall be

lowered and raised at least once before each performance. The finish or decorative features around the curtain opening of every theater, shall be of incombustible material well secured to masonry.

SEC. 40. There shall be over the stage of every theater flues or ducts. The dampers for opening or closing such ducts shall be automatic. A competent and practical electrician shall be kept in charge of the switchboard and a competent man in charge of stand pipe on the stage of every theater.

SEC. 41. There shall be in every theater an approved stand pipe and hose system installed subject to the approval of the Chief of Fire Department and Director of Public Safety.

SEC. 42. Sections 37 to 41 shall apply to all theaters and public halls now constructed or which may hereafter be constructed.

SEC. 43. That any person who violates any of the provisions of Sections 37 to 41 inclusive, shall upon conviction be fined in any sum not less than Ten (\$10.00) Dollars and not more than One Hundred and Fifty (\$150.00) Dollars or imprisoned not more than thirty days or both.—*Vol. C, Page 355.*

CHAPTER VI.

COUNCIL.

SECTION 44 Time of Meetings.

SECTION 44. That all meetings of the City Council shall be held in the Council Chamber of said City. There shall be one regular meeting each week and the same shall be held on Monday evening, beginning at the hour of seven-thirty o'clock p. m., (standard time.)—*Vol. B, Page 376.*

CHAPTER VII.

DYNAMITE.

SECTION 45 Limiting amount that may be stored or transported.

SECTION 46 Penalty.

SECTION 45. That it shall be unlawful to store or keep in greater amounts, any dynamite, nitro glycerine or other explosives, or to carry, convey or transport the same in any greater amount than is provided by the General Code of the State of Ohio.

SEC. 46. The penalty provided for any violation shall be in such sum as is provided by Statute and all prosecutions shall be brought under the General Code of the State of Ohio.—*Vol. C, Page 179.*

CHAPTER VIII.

FINES AND COSTS.

SECTION 47 Deposited in general fund.

SECTION 47. That all fines and costs imposed for a violation of Municipal Ordinances, and all license fees authorized by ordinance and collected by the City of Findlay, shall be placed to the credit of the General Fund.—*Vol. D, Page 86.*

CHAPTER IX.

FIRE DEPARTMENT—FIRES.

SECTION 48 Number of men and salaries.

SECTION 49 Absence and vacation of firemen.

SECTION 50 Classified.

SECTION 51 Unlawful to tamper with fire alarm box.

SECTION 52 Penalty.

SECTION 53 Spark arrester to be placed on certain boilers, etc.

SECTION 54 Penalty.

SECTION 48. That the Fire Department of the City of Findlay, State of Ohio, shall be composed of the following officers and members who shall receive the respective salaries hereinafter provided, payable out of the Safety Fund of the City of Findlay, and who shall give the bond hereinafter required, to-wit:

First—A chief of the Fire Department who shall receive \$75.00 per month and who shall give bond in the sum of \$1,000.00.

Second—Twelve firemen each of whom shall receive \$60.00 per month and give bond in the sum of \$100.00.

Third—One Telephone and Telegraph operator who shall receive \$60.00 per month and give bond in the sum of \$100.00.

SEC. 49. Each of the members of the Fire Department shall be entitled to one (1) day's absence in every thirteen (13) days of service upon full pay; also to a vacation of ten (10) days each and every year of service upon full pay.

SEC. 50. The Fire Department of the City of Findlay, as constituted herein, shall be classified for appointment thereto by the Director of Public Safety as required by law; provided, however, that this ordinance shall not be held or construed to require any officer or member of the Fire Department as now constituted, who have properly qualified and are serving therein at the time this ordinance becomes effective, to submit to another examination.—*Vol. D, Page 101.*

SEC. 51. That it shall be unlawful for any person or persons to tamper with or take any key from any fire alarm box or attachments in said City, or to remove any box or key from its position except when necessary for the purpose of giving or sending in an alarm of fire.

SEC. 52. That any person violating any provision of Section 51, shall upon conviction thereof be fined in any sum not exceeding Twenty-five Dollars.—*Vol. B, Page 234.*

SEC. 53. That it shall be unlawful for any person, persons or corporation running a boiler or furnace in which wood or shavings is used for fuel to use or run the same without first providing a spark arrester for said boiler or furnace adequate for the purpose of arresting all sparks through the smoke stack or chimney leading therefrom and shall place the same thereon.

SEC. 54. That whoever shall violate any of the provisions of Section 53, shall upon conviction thereof be fined in any sum not less than One Dollar and not more than Ten Dollars for every offense.—*Vol. B, Page 220.*

CHAPTER X.

FIRE ARMS—FIRE WORKS.

SECTION 55 Unlawful to discharge.

SECTION 56 Limitations of ordinance.

SECTION 57 Penalty.

SECTION 55. That it shall be unlawful for any person to fire any cane, gun, rifle, revolver, pistol, Flobert rifle, or fire arm of any kind or to fire or explode any squib, rocket, cracker, torpedo, Roman candle or other combustible fireworks within the City of Findlay, Ohio.

SEC. 56. The preceding section shall not be deemed to apply to any Military Company when drilling under the command of an officer thereof or to the use of fire arms in the lawful defense of the person, family or property of any person or to the destruction of vermin by any person upon the property occupied by him or under the direction of the occupant of said property nor to the killing of any dog when the owner or possessor has not complied with the provisions of the ordinance relating to dogs, or regular shooting galleries, or rifle or sporting clubs having a permit from the Mayor to operate such galleries or erect targets for rifle practice or trap shooting or to the use of fire works in connection with any regular street parade.

SEC. 57. Any person violating any of the provisions of this ordinance shall upon conviction thereof be fined in any sum not less than One (\$1.00) Dollar nor more than Twenty-five (\$25.00) Dollars.—*Vol. D, Page 198.*

CHAPTER XI.

GARBAGE AND OFFAL AND WASTE.

SECTION 58 Definition of Garbage and Offal.

SECTION 59 Definition of "Rubbish."

SECTION 60 Duty to provide garbage cans.

SECTION 61 Duty to remove garbage and offal.

SECTION 62 Not to throw on streets and other places.

SECTION 63 Rubbish not to be deposited on streets.

SECTION 64 How garbage to be removed.

- SECTION 65 Limitation of application.
- SECTION 66 Penalty.
- SECTION 67 Receptacles to be placed on streets.
- SECTION 68 Expectoration on sidewalk.
- SECTION 69 Location of receptacles.
- SECTION 70 Duty of police.

SECTION 58. That the words 'garbage' and 'offal' as used in this ordinance shall be held to include every refuse accumulation of animal, fruit or vegetable matter, liquid or otherwise, that attends the preparation, use, cooking, dealing in or storing of meats, fish, fowl, fruit, or vegetables.

SEC. 59. The term "rubbish" as used in this ordinance shall be held to include dirt, chips, shavings, pieces of lumber, sticks, severed trees or branches thereof, bottles, broken glass, crockery, tin, cast or wooden ware, cans, boxes, rags, straw, fallen leaves, dead weeds, cut grass, paper, circulars, hand bills, boots, shoes, hats or any other litter or trash whatsoever.

SEC. 60. It shall be the duty of every person, firm, or corporation residing or doing business in the City of Findlay, Ohio, and therein producing or having garbage or offal to provide or cause to be provided and at all times maintain and cause to be maintained suitable, portable, water-tight, metallic receptacles for holding said garbage or offal and to place therein all garbage and offal so produced or had; said receptacles to be provided with suitable bails or handles on the outside and also with a tightly fitting metal cover which shall not be removed except when necessary in the use of such receptacles. Said receptacles shall be kept or placed at the rear of the house or building or in the basement areas or passage-ways most accessible for the purpose of collection and shall be of a capacity of not more than seven (7) gallons for residences and of not more than twelve (12) gallons for other places.

SECTION 61. It shall be the duty of any person, firm or corporation producing or having garbage or offal to remove the same or cause it to be removed by persons properly authorized, to the place provided therefor by the City of Findlay, at the times and in the manner following, to-wit:

From residences at least twice each week from the fifteenth day of April to the fifteenth day of October and once each week at other times.

From places or markets handling or vending meat or fish once each day, except Sundays, when the temperature is above freezing and twice each week at other times.

From Hotels or Restaurants once each day, except Sunday, from the fifteenth day of April to the fifteenth day of October and three (3) times each week at other times.

From places of business handling or vending fruit or vegetables three (3) times each week from the fifteenth day of April to the fifteenth day of October and once each week at other times.

From other places not hereinbefore specified twice each week from

the fifteenth day of April to the fifteenth day of October and once each week at other times.

Said garbage and offal shall be removed to a place provided by the City of Findlay either in the original receptacles in which the same shall have been deposited hauled on any suitable four-wheeled wagon or conveyance or if emptied from said original receptacles before removing the same shall be hauled only in a wagon or cart constructed with a low, water-tight, metallic tank bed and with a closely fitting metal cover so constructed that not more than one-half of said cover shall be opened while loading or unloading the same. And all wagons, carts, and receptacles so used shall be kept clean and sanitary.

SEC. 62. It shall be unlawful for any person, firm or corporation producing or responsible for or having any garbage or offal to deposit, throw or place the same upon any street, alley, public place or ground, or upon the floor, stairway or hall-way of any public building, theater, railway depot or railway platform in said City or any private property whether owned by such person, firm or corporation or not, or to throw the same in any stream or body of water or in any sewer, catch-basin or other opening in such sewer in said City, or to deposit or remove the same otherwise than as in this ordinance provided.

SEC. 63. It shall be unlawful for any person, firm or corporation producing or having rubbish in said City to deposit or place the same upon any street, alley, public place or ground, or private property in said City, except ground owned by or under the control of the party responsible for such rubbish, or to throw the same in any stream or body of water in said City; and all such persons, firms, and corporations are hereby required to collect such rubbish in suitable receptacles or piles upon the premises in possession of the party responsible therefor, and there to be destroyed in some manner authorized by the Board of Health or from thence removed to the Public dump provided therefor by the said City; and in whichever manner disposed of the same shall be so taken care of as not to cause any nuisance. And all premises shall be so cleared of rubbish at least twice a year, once in the Spring and once in the Fall.

SEC. 64. It shall be unlawful for any person, firm or corporation to remove or attempt to remove any garbage or offal from any portion of said City except from premises occupied by such person, firm, corporation, without a permit and license as herein provided.

The Board of Health of said City is hereby authorized and empowered subject to the provisions of this ordinance and the laws of Ohio in relation thereto to enter into a contract or contracts, with one or more persons, firms or corporations for the removal of garbage and offal at the cost and expense of the persons, firms or corporations responsible for the same; and may revoke any such contract for failure, refusal or neglect upon the part of the party so contracted with to carry out the provisions thereof or to comply with the requirements of this ordinance. Upon the presentation of such contract, the Mayor shall grant a license to each person, firm or corporation in accordance with the terms thereof, and any license theretofore granted and affecting territory covered by any such contract shall thereupon be revoked by the Mayor, and no other person, firm or corporation shall be

licensed to remove garbage or offal from any territory covered by any such contract so long as such contract shall remain in force and effect. Provided, however, if such Board of Health shall not so contract, or upon the revocation of a contract as herein provided, then it shall be lawful for the Board of Health to issue a permit, and for the Mayor upon presentation thereof, to grant written notice of said revocation given. The Board of Health shall have power to fix, in any contract entered into as aforesaid, the maximum price for which said parties so contracted with shall be required to remove rubbish.

SEC. 65. Nothing in this ordinance contained shall be so construed as to preclude any person, firm or corporation responsible for or having garbage or offal from feeding the same to domestic animals or fowls upon premises occupied by such person, firm or corporation so long as the same is not allowed in any manner to become a nuisance.

SEC. 66. Any person, firm or corporation violating any of the provisions of this ordinance or failing to comply with any of its terms, or removing or attempting to remove any garbage or offal or receptacles therefor contrary to the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined any sum not less than Five (\$5.00) Dollars nor more than One Hundred (\$100.00) Dollars and the cost of prosecution.—*Vol. D, Page 154.*

SEC. 67-A. That the Street Commissioner be and is hereby ordered and directed to place and maintain suitable galvanized iron receptacles in which may be placed waste paper, litter and garbage such as is usually thrown upon the streets and that such receptacles shall be emptied and the contents removed and destroyed by such commissioner as often as may be necessary.

SEC. 67-B. It shall be unlawful for any person or persons or any company or corporation to throw or place upon the streets, alleys or public places of the City of Findlay, any loose paper or decayed or worthless fruit or parings or fragments of fruit or vegetables, or cigar stubs, shells, or refuse matter of any kind or to throw or place such matter upon any sidewalk or street crossing, or on any driveway, or upon the floor, stairway or hallway of any public building, theatre, railway depot, or railway platform, in the City of Findlay, or to throw or pour any saloon or other slops, or other garbage, into any sewer, catch-basin, or other opening into any sewer within the City of Findlay.

Any person offending against this section shall be fined in any sum not less than One Dollar or more than Five Dollars.

SEC. 68. It shall be unlawful for any person to expectorate or spit upon the sidewalk or crossing of any of the streets or alleys of the City of Findlay or upon the floor of any street car, or theater, or railway depot, or depot platform or school house or church or public building of any kind within the City of Findlay.

Any person violating the provision of this section shall be fined in any sum not less than One Dollar nor more than Five Dollars.

SEC. 69. The receptacles named in Section 67, shall be placed

at the following places: One at or near the corner of Main and Front street; One at or near the corner of Main and Sandusky streets.

SEC. 70. It shall be the duty of the Police of the City especially to see that this ordinance is properly enforced and to make arrests for all violations of the same that may come under their notice.—*Vol. C, Page 202.*

CHAPTER XII.

GAS AND OIL WELLS.

SECTION 71 Not to be drilled nearer dwelling than 200 feet.

SECTION 72 Penalty.

SECTION 71. That hereafter it shall be unlawful for any person or persons to drill for oil or gas within Two Hundred (200) feet of any dwelling house in the City of Findlay, Ohio, or erect any rig or machinery for the purpose of drilling such oil or gas wells without first obtaining permission in writing from the owner or owners of any and all of said dwelling houses within said Two Hundred (200) feet.

SEC. 72. That whoever violates any of the provisions of Section 71, shall, upon conviction thereof be fined in any sum, for each offense, not less than Fifty (\$50.00) Dollars and not more than Five Hundred (\$500.00) Dollars and each day's continuance of the drilling aforesaid, after said conviction, shall be held as a separate offense within the meaning of this ordinance.—*Vol. B, Page 71.*

CHAPTER XIII.

GUARD WIRES.

SECTION 73 Guards between electrical systems.

SECTION 74 Penalty.

SECTION 73. That wherever in this City the routes of electric light or power wires and the wires of any other electrical system intersect or cross each other, the person, firm or corporation owning or controlling the wire or wires underneath shall within thirty (30) days after such conditions become established erect and thereafter maintain proper guard wires or other safe guards in form acceptable to said Council and so arranged as to prevent contact between the wires of the respective systems so crossing or intersecting in case of breakage or disarrangement and consequent danger to life and property from heavy or intense electrical currents.

SEC. 74. Any such person or corporation failing to comply with Section 73, shall be deemed guilty of a misdemeanor and fined in any sum not exceeding Five (\$5.00) Dollars and costs of prosecution.—*Vol. B, Page 252.*

CHAPTER XIV.

JURIES.

SECTION	75	Jury box and filling thereby.
SECTION	76	Drawing of Jury from box.
SECTION	77	Panel and challenges.
SECTION	78	Filling of panel.
SECTION	79	Presence of accused.
SECTION	80	Jury to be sworn.

SECTION 75. Immediately upon the taking effect of this ordinance and thereafter on the second Monday of May yearly, the Mayor, President of the City Council, and City Auditor of Findlay, Ohio, shall select one hundred names of residents of said City having the qualifications of jurors in the Court of Common Pleas of Hancock County, Ohio, distributed as near as may be among the wards of said City in proportion to population; said names shall be written on separate slips of paper and placed in a box provided for the purpose by said City to be kept by the clerk of the Police Court of said City which box shall have all names which may be therein taken therefrom before placing new names therein; and if during any year the names in said box shall be reduced to less than twelve in number, the Mayor, President of City Council and City Auditor shall again select and place in such box a like number of names in the same manner as hereinbefore provided, after all the names remaining in such box have been taken therefrom. If the Mayor, President of the City Council and City Auditor fail or neglect to select such names and place them in the box as herein provided at the time required it shall be lawful to perform said duty at any time thereafter.

SECTION 76. Whenever a person arrested and brought before the Police Court, is entitled by law or ordinance to a jury trial, and shall not waive a trial by jury, the Clerk of the Police Court in the presence of the Police Judge or acting Police Judge, shall, after said jury box shall have been so shaken as to thoroughly mix the slips of paper therein upon which said names shall have been written, draw therefrom twelve names who shall be summoned as jurors in such cause. The said Clerk shall, unless otherwise ordered by the Police Judge or acting Police Judge issue a venire facias to the Chief of Police or his assistant commanding him to summon the twelve persons drawn as aforesaid to attend in the Police Court of said City as jurors in the trial of such cause.

SEC. 77. The panel shall consist of twelve men. The same challenges, peremptory and for cause shall be allowed each party as is provided in the trial of criminal causes in the Court of Common Pleas. If any challenge be allowed, the juror so challenged whether peremptory or for cause shall be excused. And when from any cause the panel shall not be full, the same shall be filled by the Chief of Police or other officer attending the court at the time from the bystanders as panels are filled in the Court of Common Pleas, unless a special venire be demanded as provided in Section 4, of this Ordinance.

SEC. 78. In case the panel is not filled by reason of non-attend-

ance of one or more jurors, upon the demand of either party to the suit before the Chief of Police or attending officer shall have filled the panel from by-standers, a special venire shall issue for as many men as in the judgment of the Police Judge or acting Police Judge shall be necessary to fill the panel as tailsmen; thereupon the Clerk of the Police Court in the presence of the Police Judge or acting Police Judge shall draw from the box provided for in Section 1, of the ordinance the number of names determined upon as aforesaid, to serve as tailsmen, and said Clerk shall thereupon issue a summons for the persons whose names are so drawn to appear as jurors for the trial of such person or persons commanding them to appear forthwith, which summons shall be served as provided in Section 2 of this ordinance.

SEC. 79. The accused shall have the privilege of being present either in person or by attorney at the drawing of the jury or a special venire for jurors to sit in the trial of his cause.

SEC. 80. After all challenges have been made and the panel filled the jury shall be sworn and the trial proceed in all respects and be governed by the rules of the Criminal Code of Ohio in the trial of cases in the Common Pleas Court so far as the same are applicable to the Police Court, except where otherwise provided by ordinance or rule, or practice of said Police Court.—*Vol. D, Page 130.*

CHAPTER XV.

LICENSES.

SECTION 81	Licenses to be issued by Mayor.
SECTION 82	Shooting galleries.
SECTION 83	Fee for shooting galleries.
SECTION 84	Licensee liable for damages.
SECTION 85	Penalty.
SECTION 86	Sale of goods in streets at auction.
SECTION 87	Fee for.
SECTION 88	Penalty.
SECTION 89	Sale of goods on the streets.
SECTION 90	Fee for.
SECTION 91	Penalty.
SECTION 92	Vault cleaner's license and bond.
SECTION 93	Fee for
SECTION 94	Penalty.
SECTION 95	Pawn Broker.
SECTION 96	Bond.
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SECTION 99	Chattel Mortgage and Salary Loan Brokers.
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SECTION 105	Street Musicians.
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SECTION 109	Drays and Carts.
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SECTION 111	Fee for.
SECTION 112	Licensed drays to be numbered.
SECTION 113	Penalty.
SECTION 114	Location of Drays.
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SECTION 116	Theatrical Exhibitions and Shows.
SECTION 117	Circus or Menagerie.
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SECTION 119	Theaters.
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SECTION 125	License required.
SECTION 126	Fee.
SECTION 127	Penalty.
SECTION 128	Bill posting.
SECTION 129	Fee.
SECTION 130	Application of Ordinance.
SECTION 131	Penalty.

SECTION 81. That authority be, and hereby is conferred upon vested in and delegated to the Mayor of the City of Findlay, Ohio, to grant and issue licenses provided for by ordinance and to revoke the same.—*Vol. D, Page 164.*

SEC. 82. That it shall be unlawful for any person or persons to run or operate within said City any shooting gallery, shooting ground or shooting range without first procuring a license therefor from the Mayor of said City, so to do, as hereinafter provided.

SEC. 83. That the Mayor of said City is hereby authorized to issue to any person or persons of good repute, requesting same, a license to run or operate in said City, a shooting gallery, shooting ground, or shooting range as the case may be, upon the payment to him for the use of said City of a license fee of Five (\$5.00) Dollars per year; provided that no license fee shall be received for a less period than three months; provided also, that said license shall state the building, ground or field in which said business shall be carried on and the same shall be subject to the approval of the Mayor.

SEC. 84. That all persons to whom such license shall be granted shall be liable for all damages, if any, occasioned by the running or operation of said business, and provided also that any license so granted may be revoked by the Mayor when in his opinion the business run or operated thereunder becomes dangerous to the public.

SEC. 85. That any person violating any of the provisions of

Sections 82 to 84 inclusive, shall, upon conviction thereof be fined in any sum not less than One Dollar nor more than Five Dollars.—*Vol. B, Page 408.*

SEC. 86. That it shall be unlawful for any person to sell at auction in the streets or other public places within the City of Findlay, Ohio, any goods, wares, or merchandise without a license so to do issued by the Mayor of said City.

SEC. 87. The fee to be paid for the license required to auction goods, wares and merchandise in the streets or other public places in the City of Findlay, shall be Two Dollars per day.

SEC. 88. Any person violating any of the provisions of Section 86 of this ordinance shall, upon conviction thereof, be fined in the sum of not less than Ten Dollars nor more than Twenty-five Dollars.—*Vol. D, Page 161.*

SEC. 89. That it shall be unlawful for any person to sell on the streets of the City of Findlay, Ohio, any goods, merchandise or medicines without a license so to do issued by the Mayor of said City.

SEC. 90. The fee to be paid for the license required to sell goods, merchandise and medicine on the streets of the City of Findlay, Ohio, shall be Two Dollars per day.

SEC. 91. Any person violating any of the provisions of Section 89 of this ordinance shall upon conviction thereof be fined in the sum of not less than Ten Dollars nor more than Twenty-five (\$25.00) Dollars.—*Vol. D, Page 163.*

SEC. 92. No person shall clean, or engage in the business of cleaning privy vaults within the City of Findlay, Ohio, without having first procured a license so to do, signed by the Mayor of said City. All licenses issued for said purpose shall be issued for the period of One (1) year, and no such license shall be issued until the party applying therefor shall have given bond to the City of Findlay, Ohio, with sureties to the approval of the Mayor in the sum of Two Hundred (\$200.00) Dollars conditioned for the proper performance of his work. Before such licensee shall clean any privy vault, or other receptacle of night soil he shall first obtain from the Board of Health of said City a permit for each vault or receptacle to be cleaned.

SEC. 93. The fee to be paid for the license required of vault cleaners shall be Ten Dollars.

SEC. 94. Any person violating any of the provisions of Section 92 of this ordinance shall upon conviction thereof be fined in any sum not more than One Hundred Dollars nor less than Twenty-five Dollars.—*Vol. D, Page 173.*

SEC. 95. No person shall carry on or conduct the business of pawn broker within the meaning of Section 4387 of the General Code of the State of Ohio, within the corporate limits of the City of Findlay, Ohio, without having first obtained a license so to do from the Mayor of said City.

SEC. 96. The Mayor may grant a Pawnbroker's license to any person of good moral character who may apply therefor when such applicant shall have paid the license fee provided in such case and shall have executed a bond with one or more sufficient sureties in the sum of Five Hundred (\$500.00) Dollars, to the approval of the Mayor,

conditioned that the applicant will conform to the laws of the State of Ohio and the ordinances of the City of Findlay. Said license shall be good for one year from the date upon which it was issued unless sooner revoked.

SEC. 97. The fee to be paid for a pawnbroker's license shall be Fifty (\$50.00) Dollars per year.

SEC. 98. Any person violating any of the provisions of Section 95 of this ordinance shall upon conviction thereof be fined in any sum not more than One Hundred (\$100.00) Dollars and not less than Twenty-five (\$25.00) Dollars.—*Vol. D, Page 169.*

SEC. 99. That it shall be unlawful for any person, firm or corporation to engage in the business of a chattel mortgage or salary loan broker or to engage in the business of loaning money upon chattel mortgage security or any other contract involving as security the forfeiture of rights in personal property; or, upon assignments, bills of sale or other conveyance of salary or wages, within the City of Findlay, Ohio, without first having obtained a license so to do from the Mayor of the said City.

SEC. 100. The fee for a license to engage in the business of a chattel mortgage or salary loan broker shall be Fifty (\$50.00) Dollars. Said license shall be valid for the period of One (1) year from the date it is issued unless sooner revoked.

SEC. 101. Every person, firm or corporation licensed to engage in the business of a chattel mortgage or salary loan broker shall file with the Auditor of the City of Findlay on or before eleven o'clock a. m. on each and every Monday a sworn record of each and every loan made during the calendar week immediately preceding. Said record shall be sworn to by such person, firm or corporation; shall give the name of the person, firm or corporation making the loan, the name of the pledger, mortgagor or assignor, the article or articles pledged, mortgaged or assigned, the amount loaned, the rate of interest and when payable, the amount of loan charges and expenses, the date when the loan was made, and the date when the same is payable. Such record shall remain in the office of said Auditor as a permanent record, open to inspection and examination at all reasonable hours.

SEC. 102. Any person or persons, firm or corporation, either for themselves, or as the officer, agent or employee of any person, firm or corporation violating any of the provisions of this ordinance shall upon conviction thereof be fined not less than Twenty-five Dollars nor more than One Hundred Dollars; and for a second offense, in addition to the penalties enumerated above, the license of such person or firm or corporation so offending may be ordered revoked, and upon the order of the Court so to do, it shall be the duty of the Mayor of the City of Findlay, Ohio, to revoke said license.—*Vol. D, Page 171.*

SEC. 103. That it shall be unlawful for any person to maintain operate or conduct a Bowling Alley within the City of Findlay, Ohio, unless the proprietor shall have first obtained a license so to do from the Mayor of said City. The application for such license shall state the number of alleys to be used and the building in which the alley or alleys are to be located. The license granted shall be valid for the

period of one year from the date of issuance, and the license fee shall be Three (\$3.00) Dollars for each alley.

SEC. 104. Any person violating any of the provisions of Section 103 of this ordinance shall upon conviction thereof be fined in any sum not more than Twenty-five Dollars or less than Five Dollars.—*Vol. D, Page 175*

SEC. 105. No person shall, upon the streets, avenues, alleys, or Public thoroughfares in the City of Findlay, Ohio, perform upon any musical instrument or appliance or sing, where a contribution or donation is asked, accepted or received except in connection with a bona-fide religious service, without having first procured from the Mayor of said City a license so to do. The fee to be paid for such license by each person shall be One Dollar per day. Such licensee shall not occupy any part of the street used or reserved for sidewalk purposes and in no instance shall such licensee perform or sing at any point where the property owners or tenants of that immediate vicinity object thereto.

SEC. 106. Any person violating any of the provisions of Section 105 hereof, shall, upon conviction thereof, be fined in any sum not less than Five (\$5.00) Dollars nor more than Ten (\$10.00) Dollars.—*Vol. D, Page 183,*

SEC. 107. No person shall conduct or maintain what is commonly known as a Junk Shop within the City of Findlay, Ohio, without having first procured from the Mayor of said City a license so to do. Each applicant for such a license shall file with the Mayor of said City a statement verified by oath, giving the location of his place of business, the time he intends to commence business, the nature of the business, and the amount of capital invested or to be invested in said business, including therein the value of all stock and all horses or other animals and vehicles used in connection with such business and shall annually thereafter, within Thirty (30) Days preceding the expiration of his license file a like statement verified by oath. The fee to be paid annually for such license shall be as follows:

For dealers having a capital of Five Hundred (\$500.00) Dollars or less, Twelve and Fifty One Hundredths Dollars.

For dealers having a capital of more than Five Hundred Dollars and not exceeding One Thousand Dollars, Twenty-five Dollars.

For dealers having a capital of more than One Thousand Dollars and not exceeding Two Thousand Dollars, Fifty Dollars.

For dealers having a capital exceeding Two Thousand Dollars, One Hundred Dollars.

All licenses shall be valid for one year from date of issuance and shall not be renewed until the annual statement required herein shall have been first made and the fee for such renewal shall be based upon the capital as shown by the annual statement next preceding the date of the issuance of such renewal.

SEC. 108. Any person violating any of the provisions of Section 107 hereof, shall, upon conviction thereof be fined in any sum not less than Twenty-five Dollars nor more than One Hundred Dollars.—*Vol. D, Page 182.*

SEC. 109. That the Mayor of said City shall have power to

license in the name of said City any trustworthy person to keep a dray, cart, or wagon upon the applicants complying with the provisions of this ordinance; and such license shall state the number of the dray, cart, or wagon with the name of the person to whom it is granted, and said license shall continue in force for one year unless sooner recalled by the Council.

SEC. 110. That it shall be unlawful for any person to keep for hire or cause to be used for hire or kept for hire any dray, cart or wagon for the transportation of property within the City without a license from said City for so doing.

SEC. 111. That any person desiring to keep or use any of the aforesaid vehicles for hire, shall make satisfactory proof to the Mayor that he is a man of integrity and sober habits, and shall pay to the Mayor for the use of the City, for every one-horse dray, one dollar, two-horse dray, two dollars, two-horse wagon, one dollar, four-horse wagon, two dollars, one-horse express wagon, one dollar, and two-horse express wagon, two dollars.

SEC. 112. That every such person so licensed shall place said number in said license in conspicuous figures together with his name on a metallic plate and attach the same upon the outer side of the sill or shaft of said vehicle and keep said figures and name in a legible condition.

SEC. 113. That whoever shall violate any of the provisions of this ordinance shall upon conviction thereof be fined in any sum not less than One Dollar or more than Ten Dollars for every offense.—*Vol. B, Page 311.*

SEC. 114. That hereafter all drays, trucks, carts and wagons while waiting for employment and all drays, trucks, carts or wagons loaded with hay, wood, or other articles for sale, while waiting for market, shall occupy the following stands and no other to-wit: On the north side of the Court House Square, toward the south and close to the curb; (on the west side of the Court House Square toward the east and close to the curb; on the south side of the Court House square toward the north and close to the curb;). And that each of said drays, trucks, carts and wagons shall take a position behind the other in the order of their arrival upon the said stands in such a manner that no two drays, trucks, carts or wagons shall at any time stand abreast or within ten feet of each other and that the drivers of said vehicles shall at no time leave them alone and unattended, nor shall any of said vehicles stand or be placed near enough to any sidewalk or crossing to in any way endanger or interfere with pedestrians traveling upon the streets.

SEC. 115. Any person violating any of the provisions of this ordinance shall, upon conviction, be fined in any sum not exceeding Twenty-five Dollars and costs of prosecution.—*Vol. B, Page 501.*

SEC. 116. No person shall within the City of Findlay, Ohio, exhibit or give any theatrical exhibition or performance, concert, show, exhibition or entertainment of any name or nature for which money or other reward is demanded or received, except in a regularly licensed theater or hall, without having first procured from the Mayor of said City a license so to do; provided that nothing contained herein shall

be construed to apply to public school entertainments, lecture courses, lectures on historic, literary or scientific subjects, or to any exhibition or entertainment by any citizens band or secret order of said City, or any entertainment given for the benefit of any church or benevolent institution or for any charitable purpose, nor to any exhibition, entertainment or performance given in any building owned or controlled by the City of Findlay, Ohio.

SEC. 117. For each circus or menagerie, or both, or for each dog or pony show, or both, held under one awning or tent or within one inclosure and charging an admission price of more than twenty-five cents, the sum of Sixty-five (\$65.00) Dollars for each; those charging an admission price of Twenty-five cents or less, the sum of Twenty-five (\$25.00) Dollars for the first day and Ten (\$10.00) Dollars for each additional day. For side-show or side-shows attending or accompanying any one or both of the above classified exhibitions, the sum of Twenty-five Dollars (\$25.00) for one such side-show and the sum of Ten Dollars (\$10.00) for each additional.

SEC. 118. Any person who shall violate any of the provisions of this section or of the preceding section shall, upon conviction, be fined in any sum not less than Fifty (\$50.00) Dollars nor more than Two Hundred (\$200.00) Dollars.

SEC. 119. The proprietor or manager of any theater, opera house, hall or room used for the purpose of public entertainment, may, in lieu of procuring a license for each day's entertainment, apply to the Mayor for an annual license to so use said place, for which there shall be paid an annual license fee of Twenty-five (\$25.00) Dollars.

SEC. 120. All shows and exhibitions of immoral, indecent, disorderly or lascivious character are hereby prohibited, and any person who shall conduct any show, exhibition or performance within the City of Findlay, Ohio, prohibited by this section or knowingly assist in the same shall, upon conviction thereof, be fined in any sum not less than Ten nor more than Fifty Dollars, and it shall be the duty of the Mayor of said City, upon such conviction to revoke any license issued for such performance.—*Vol. D. Pages 186, 247, 343, 315.*

SEC. 121. It shall be unlawful for any person, firm or corporation to move any building upon or across any street, avenue, or alley, within the City of Findlay, without a license so to do duly executed by the Maor of said City.

SEC. 122. All licenses issued, as provided in Section 121 of this ordinance shall be for the period of one year, and no such license shall be granted until the party applying therefor shall have given a Bond in the sum of One Thousand (\$1,000.00) Dollars to the City of Findlay, Ohio, subject to the approval of the Mayor; conditioned among other things that said party will pay any and all damages which may happen to any tree, pavement, street, sidewalk or any public building or structure and all damages resulting to all persons whomsoever, which may be caused by the carelessness or negligence of the person so licensed, or by his agent, employees or workmen while engaged in moving any building in the streets, alleys or public ways of said City, and conditioned also that said party so licensed will save

and indemnify, and keep harmless the City of Findlay, against all liabilities, judgments, damages, costs and expenses which may in anywise accrue against said City in consequence of the granting of such license or any permit issued to such licensee as hereinafter provided and will in all things strictly comply with the conditions of his license and any and all permits granted to such licensee as hereinafter provided.

Before moving any such building or other structure such licensee shall procure a permit for each building or other structure so to be moved from the Director of Public Service. The application for such permit shall be accompanied by a fee of Five Dollars, shall be in writing and shall give the location and character of the building or structure to be moved, the route over which the same is to be moved and the point to which the same is to be removed. If the proposed route is not satisfactory to the Director of Public Service, it may change the same and select a route over which said building or other structure shall be moved, provided that no permit shall be given to move any structure or other building over a route that will result in the shade trees being damaged or destroyed.

Such licensee shall not blockade any street, car line, except the hours of midnight and five a. m. and when it is necessary to cut any wires or other structure in the City, the owner of such wires or other structure shall be first notified, and may if he so desires, perform the necessary labor in cutting such wires, etc., and may charge, and such licensee shall promptly pay the prevailing rates for such service.

SEC. 123. Any person violating any of the provisions of the two preceding sections shall, upon conviction thereof, be fined in any sum not less than Twenty-five Dollars or more than One Hundred Dollars.—*Vol. D, Page 188.*

SEC. 124. That a hawker or peddler is a person who carries any goods, wares, merchandise, produce, or other articles with him, either on his person or in some vehicle and sells them or offers them for sale, barter or exchange on the streets or public places or at stores or residences.

SEC. 125. That it shall be unlawful for any hawkers or peddlers to sell or offer for sale, barter or exchange on the streets or public places, or at stores or residences, any goods, wares, merchandise, produce or other articles without first obtaining of the Mayor of said City a license so to do, but this shall not apply to a person who shall offer for sale or exchange goods of any description of his own manufacture, or produce of his own raising.

SEC. 126. That the fee for such license shall be not less than fifty cents (50), nor more than Fifteen (\$15.00) Dollars per day, and shall be paid by such hawker or peddler before any license shall be issued permitting such business to be conducted within said City.

SEC. 127. That any person who shall violate the provisions of Section 125, shall be fined in any sum not less than One (\$1.00) Dollar nor more than Fifty (\$50.00) Dollars.—*Vol. D, Page 364.*

SEC. 128. No person shall hereafter engage in or carry on the business or occupation of bill posting, bill distributing, or card tacking

within the City of Findlay, Ohio, without having first procured a license so to do from the Mayor of said City.

SEC. 129. The fee to be paid for each license shall be Twenty-five (\$25.00) Dollars for a license for one year or Fifty (50) Cents per day for a license for any shorter period than one year.

SEC. 130. Nothing in Sections 128 and 129 shall be so construed as to require of the owner of any product of his own raising, or the manufacturer of any article manufactured by him, a license to vend or sell in any way, by himself or agent, any such article or product; nor shall be it so construed as to exact and receive a license fee from merchants doing business in the City of Findlay, Ohio, for advertising their own business; nor shall it apply to advertising matter of any article of their own compound; which has been manufactured or compounded within said City of Findlay; nor shall it be so construed as to in any manner interfere with Interstate Commerce.

SEC. 131. Any person violating any of the provisions of Section 128 of this ordinance shall, upon conviction thereof, be fined in any sum not less than One Dollar nor more than Five Dollars for each and every offense.—*Vol. D, Page 203.*

CHAPTER XVI.

LIGHTING RAILROADS.

SECTION 132	Toledo and Ohio Central Ry., location of Lights.
SECTION 133	Time to be kept burning.
SECTION 134	Notice required—penalty.
SECTION 135	Columbus, Findlay & Northern, location of lights.
SECTION 136	Notice and penalty.
SECTION 137	Findlay, Ft. Wayne & Western Ry., location of Lights.
SECTION 138	Time to be kept burning.
SECTION 139	Notice and penalty.
SECTION 140	Lake Erie & Western Ry., location of Lights.
SECTION 141	Time to be kept burning.
SECTION 142	Notice and penalty.
SECTION 143	Cleveland, Cincinnati, Chicago & St. Louis Ry., Location of Lights.
SECTION 144	Notice and penalty.

SEC. 132. That the Toledo and Ohio Railway Company, be and it is hereby required, to light with electricity from and after November 13th, 1893, the portion of its railway within the corporate limits of said City by erecting posts and lamps known as the 2,000 candle-power each, being the ordinary kind in use in said City by placing said posts and lamps, so that said lamps shall be suspended not less than twenty feet above ground, at the following points along said railway, the same having been declared necessary by the Board of Improvements, to-wit: One each at the following streets and avenues where the same are crossed by said railway, viz: Lincoln, Sandusky, Main

Cross, Center, Cherry, Larkins, Laquince and Santee streets, and Garfield, Allen and Crystal avenues.

SEC. 133. That said lamps shall be required to be kept burning all night from dark to daylight, during every night in the year, being the same lights and same number of hours per night required of all public lights under the control of said City.

SEC. 134. That the City Clerk is hereby directed to give due notice to said Company of the passage of this ordinance by a delivery of a copy thereof to the person having the management of said Railway, and if said Company fail to light said track in conformity hereto by the thirteenth of November, 1893, such lighting shall be done by said City at the expense of said company and the costs thereof made a lien upon the property of said Company as provided by law.—*Vol. B, Page 379.*

SEC. 135. That it is hereby deemed necessary by the Council of the City of Findlay to have the Railway of the Columbus, Findlay and Northern Railway Company, within the limits of said City lighted, and that said Railway Company be, and is hereby required to light its railway within the limits of said City with incandescent lamps, in a cluster of five, thirty-two candle-power lamps suspended over the tracks with the proper shade and reflector, hung in the same manner as arc lights are hung in the streets of said City; and said Company is required to erect poles of sufficient height to suspend said lights not less than twenty feet from the ground; and such lights shall be kept burning all night from dark to daylight during every night of the year, and a cluster of five lights as hereinbefore described shall be located at each of the following streets where the same is crossed by said Railway, to-wit: Main Street, Cory Street, Broad Avenue and Howard Street.

SEC. 136. That the Clerk of the Council be and is hereby directed to give notice to the Columbus, Findlay and Northern Railway Company, of the passage of this ordinance by delivering a copy thereof to said Company in the manner provided in Section 2406 of the Revised Statutes of Ohio, and if the said Railway is not lighted as herein required within twenty days from the receipt of said notice, said lighting will be done by the City of Findlay and the expense thereof assessed against said Company in the manner provided by law.—*Vol. C, Page 359.*

SEC. 137. That the Findlay, Fort Wayne & Western Railway Company and M. A. Smalley, Receiver, be and they are hereby required to light with electricity from and after November 13th, 1893, the portions of said railway within the corporate limits of said City by erecting posts and arc lamps, known as the 2000 candle-power each, being the ordinary kind in use in said City, by placing said posts and lamps, so that said lamps, shall be suspended not less than twenty feet above the ground at the following points along said railway, the same having been declared necessary by the Board of Improvements and so deemed by the Council, to-wit: One at Main Street where the same is crossed by said railway and at Lima Avenue where the same is crossed by said railway.

SEC. 138 That said lamps shall be required to be kept burning

all night from dark to daylight during every night in the year, being the same nights and number of hours per night required of all public lights under the control of said City.

SEC. 139. That the City Clerk is hereby directed to cause due notice to be given to said Company and M. A. Smalley, Receiver, according to law of this requirement of the Council, and if said Company fail to light said railway in conformity hereto by the thirteenth day of November, A. D., 1893, such lighting shall be done by the City at the expense of said Company and the cost thereof made a lien upon the property of said Company as provided by law.—*Vol. B, Page 381.*

SEC. 140. That the Lake Erie & Western Railway Company be and it is hereby required to light with electricity from and after November 13th, 1893, the portion of its railway within the corporate limits of said City, by erecting posts and arc lamps known as 2000 candle-power each, being the ordinary kind in use in said City, by placing said posts and arc lamps at the following points along said railway so that said lamps shall be suspended not less than twenty feet above ground, the same having been declared necessary by the Board of Improvements, and so deemed by the Council, to-wit: One each at the following streets where they are crossed by the said railway, viz: Walnut, Main, Clinton, Washington, Front, Main Cross, Putnam and Sandusky streets.

SEC. 141. That said lamps shall be required to be kept burning all night from dark to daylight during every night in the year, being the same nights and number of hours per night required of all public lights under the control of said City.

SEC. 142. That the City Clerk is hereby directed to give due notice to said Company of the passage of this ordinance by a delivery of a copy thereof to the person having the management of said railway and if said Company fail to light said Railway in conformity hereto by the thirteenth day of November, 1893, such lighting shall be done by the said City at the expense of said Company, and the cost thereof made a lien upon the property of said Company as provided by law.—*Vol. B, Page 378.*

SEC. 143. That it is hereby deemed necessary by the Council of the City of Findlay, to have the Railway of the Cleveland, Cincinnati, Chicago and St. Louis Railway company, within the limits of said City lighted with incandescent lamps in a cluster of five 32 candle power lamps suspended over the tracks with proper shade and reflector hung in the same manner as arc-lamps are in the streets of said City; and said Company is required to erect poles of sufficient height to suspend said lights not less than twenty feet from the ground; and such lights shall be kept burning all night from dark to daylight during every night of the year, and a cluster of five lights as hereinbefore described shall be located at each of the following streets where the same is crossed by said railway, viz: East, Blanchard Street, Sandusky and South Streets.

SEC. 144. That the Clerk of the Council be and is hereby directed to give notice to the Cleveland, Cincinnati, Chicago and St. Louis Railway Company of the passage of this ordinance by delivering a copy thereof to said Company in the manner provided in Section

2496 of the Revised Statutes of Ohio; and if the said Railway is not lighted as herein required within twenty days from the receipt of said notice, said lighting will be done by the City and the expense thereof assessed against said Company in the manner provided by law.—*Vol. C, Page 287.*

CHAPTER XVII.

LIGHTS.

SECTION 145	Public Buildings and Commercial.
SECTION 146	Amount paid shall cover meter rental and repairs.
SECTION 147	Minimum charge.
SECTION 148	Private consumers.
SECTION 149	Discount—Minimum charge—Covers meter rental and repairs.

SECTION 145. That for a period of five years from and after the third day of December, 1908, The Toledo Urban and Interurban Railway Company shall charge for electricity for lighting the public buildings of the City of Findlay, Ohio, and for commercial lighting a sum of not to exceed eight cents per Kilowatt and shall allow discounts for the quantity of electricity used as follows to-wit:

From 100,000 Watts to 200,000 Watts, a quantity discount of five per cent.

From 200,000 Watts to 300,000 Watts, a quantity discount of ten per cent.

From 300,000 Watts to 400,000 Watts, a quantity discount of fifteen per cent.

From 400,000 Watts to 500,000 Watts, a quantity discount of twenty per cent.

From 500,000 Watts and over Watts, a quantity discount of twenty-five per cent.

And in addition thereto shall allow a cash discount of five per cent on the price of the electricity consumed monthly, if paid on or before the tenth of the succeeding month.

SEC. 146. The amount paid for electricity consumed or the minimum price hereinafter permitted to be charged to any consumer shall be held to cover any and all charges for meter rental or repair and no additional charges for meter rental or repair shall be permitted.

SEC. 147. Said Company is hereby permitted to charge not to exceed the sum of \$1.00 per month as a minimum charge to each consumer.—*Vol. D, Page 229.*

SEC. 148. That for a period of five years from and after November 15, 1908, no person, firm or corporation furnishing electricity for commercial lighting or power, shall charge for such electric current when supplied through a meter to private consumers any sum in excess of the amounts hereinafter designated, to-wit:

For the first 100 K. W. hours, eight (8) cents per Kilowatt hour;
For the next 200 K. W. hours, seven (7) cents per Kilowatt hour;
For the next 300 K. W. hours, six (6) cents per Kilowatt hour;

All over 600 K. W. hours and not more than 2,000 K. W. hours, four (4) cents per Kilowatt hour;

All over 2,000 K. W. hours, three (3) cents per Kilowatt hour.

SEC. 149. Bill for above service shall be rendered on the first day of each month, and shall be subject to a discount of five per cent (5) per cent) if paid on or before the tenth (10th) day of the same month.

A minimum charge of Fifty (50) cents per month may be charged each consumer which charge, or the rate provided for in Section 148 hereof, shall be held and construed as covering meter rental and cost of repair.—*Vol. D, Page 225.*

CHAPTER XVIII.

MISDEMEANORS.

SECTION	150	Vagrants, beggars and suspicious persons.
SECTION	151	Disturbers of public meetings.
SECTION	152	Penalty.
SECTION	153	Disorderly conduct.
SECTION	154	Penalty.
SECTION	155	Houses of prostitution—Keepers of.
SECTION	156	Female visitors thereto.
SECTION	157	Male visitors thereto.
SECTION	158	Premises not to be rented for.
SECTION	159	Minors not to loiter on streets in night season.
SECTION	160	Custodian not to permit loitering.
SECTION	161	Penalty.
SECTION	162	Duty of Police Officers
SECTION	163	Fire Chief may ring curfew.
SECTION	164	Gambling houses.
SECTION	165	Visiting gambling houses.
SECTION	166	Gambling prohibited.
SECTION	167	Gambling instruments to be destroyed.
SECTION	168	Dog and Cock Fighting.
SECTION	169	Penalty.
SECTION	170	Railway or Street Cars—Jumping on.
SECTION	171	Street Cars—Stealing Ride.
SECTION	172	Vehicles—Jumping on.
SECTION	173	Penalty.

SECTION 150. That if any person found strolling in, upon or about any street, alley or other public place within said City, or lurking or prowling about the premises of any citizen in said City who cannot give a satisfactory account of himself or herself and of the honesty of his or her intentions or that if any vagrant, any common street beggar, any common prostitute, any habitual disturber of the peace, any known pickpocket, gambler, burglar, thief, any watch stuffer, ball game player, any person who practices any trick, game or device with intent to swindle any person who abuses his family or any member

thereof, or any suspicious person who cannot give a reasonable account of himself shall be found in the City any such person or persons shall be subject to prosecution, and on conviction thereof shall be fined in any sum not exceeding Fifty Dollars.—*Vol. B, Page 517.*

SEC. 151. That it shall be unlawful for any person or persons to wilfully interrupt or disturb any assembly of persons met for the purpose of Religious Worship or for any other lawful purpose or to interrupt or disturb any person while he is at or about the place where such assembly is to be held or is or has been held.

SEC. 152. That any person or persons who shall violate any of the provisions of Section 151 of this ordinance shall upon conviction thereof be fined not more than Fifty Dollars or imprisoned not more than ten days or both.—*Vol. B, Page 131.*

SEC. 153. It shall be unlawful for any person to disturb the peace and good order of the City of Findlay, Ohio, or of any of the inhabitants thereof, by any clamor or noise in the night season, or, at any time, by intoxication or drunkenness, or by abusing, insulting, striking, beating, threatening to fight, provoking to quarrel, or threatening violence against the person or property of others, or by wrangling, fighting, rioting or tumult, or by the use of lascivious, obscene, profane or scandalous language in the streets or other public places, or by conducting himself or herself in an immoral or indecent manner.

SEC. 154. Any person violating any of the provisions of Section 153 hereof shall, upon conviction thereof, be fined in any sum not less than Five Dollars nor more than Twenty-five Dollars and the costs of prosecution.—*Vol. D, Page 181.*

SEC. 155. It shall be unlawful for any person to keep a house of prostitution or ill-fame within the City of Findlay, Ohio, by allowing any female person or persons to reside therein for the purposes of prostitution, or permitting any female person to resort thereto for such purpose, at any time whatsoever, or to occupy any room or rooms in any building in said City for the purpose aforesaid. The use or occupation of any room, house or building for the purpose aforesaid shall be deemed a public nuisance.

Any person violating any of the provisions of this section shall upon conviction thereof be fined in any sum not less than Twenty-five Dollars or more than One Hundred Dollars, and the fact of such conviction shall forthwith be certified by the trial court to the Mayor of said City who shall thereupon abate the use and occupation of such place by such person until security shall be given to said City of Findlay to the approval of the Mayor that said house or building shall not be used for any purpose in violation of this section.

SEC. 156. It shall be unlawful for any female person to reside in any house of ill-fame in the City of Findlay, or resort thereto for the purpose of prostitution, or to use any indecent or lascivious language, gesture or behavior to entice persons therein for the purpose aforesaid, or be guilty of lewd or lascivious behavior on any street or public place within said City of Findlay.

Any person violating any of the provisions of this section shall upon conviction thereof be fined in any sum not less than Five Dollars nor more than Twenty-five Dollars.

SEC. 157. It shall be unlawful for any male person of the age of sixteen years or over to reside in any house of prostitution or ill-fame in the City of Findlay, Ohio, or for any male person to resort thereto or visit such place for the purpose of prostitution, or to aid, assist, abet or encourage the use of such place for any of the purposes prohibited by the terms of this ordinance.

Any person violating any of the provisions of this section shall upon conviction thereof be fined in any sum not less than Five Dollars nor more than Twenty-five Dollars.

SEC. 158. It shall be unlawful for any person owning or having control as guardian, lessee or otherwise of any house, room, or building situate within the City of Findlay, Ohio, knowingly to lease or sublet the same for the purpose of keeping therein a house of prostitution or ill-fame, or knowingly to permit the same to be used or occupied for such purpose, after having been notified of the fact of such use by the Mayor or Chief of Police of said City.

Any person violating any of the provisions of this section shall upon conviction thereof be fined in any sum not less than Twenty-five Dollars nor more than One Hundred Dollars, and the fact of such conviction shall forthwith be certified by the Trial Court to the Mayor of said City who shall thereupon abate the use and occupation of such room, house or building as to the person so convicted until security shall be given to said City of Findlay to the approval of the Mayor that said room, house or building shall not be used for any purpose in violation of this ordinance.—*Vol. D, Page 184.*

SEC. 159. It shall be unlawful for minors under the age of sixteen years to loiter or to be unnecessarily upon any of the streets, alleys or public places in the City of Findlay in the night season after the hours of eight o'clock from the first day of October to the thirty-first day of March, inclusive and after the hour of nine o'clock from the first day of April to the thirtieth day of September inclusive, unless accompanied by parent, guardian or reputable adult person having charge of such minor.

SEC. 160. It shall be unlawful for any parent, guardian or other person having custody or control over any minor under the age of sixteen years of age, within the City of Findlay, to allow or suffer any such minor to loiter or remain upon the streets, alleys or public places in the City of Findlay in the night season after the hour of eight o'clock from the first day of October to the thirty-first day of March inclusive and after nine o'clock from the first day of April to the thirtieth day of September inclusive, unless accompanied by such parents, guardian or person having custody or control of such minor, or by some reputable person by such parent, guardian or person having custody and control of such minor authorized.

SEC. 161. Any person found guilty of any violation of the two preceding sections of this ordinance shall be fined in any sum not exceeding Five Dollars.

SEC. 162. It shall be the duty of any police officer of the City who shall find any minor under the age of sixteen upon the streets, alleys or public places of the City of Findlay in violation of this ordinance to at once warn such minor to leave the streets, alleys or public

places where such minor may be found and if such order is not complied with by such minor, such officer shall without unnecessary delay file a complaint in a court of competent jurisdiction. It shall further be the duty of Police officers having knowledge of the necessary facts to make complaint in a court of competent jurisdiction against any parent, guardian, or other person having custody control of any minor found violating this ordinance.

SEC. 163. The Fire Chief may in his discretion cause the hours named in Sections 159 and 160 of this ordinance to be designated by twelve even strokes of the fire bell.—*Vol. B, Page 513.*

SEC. 164. That it shall be unlawful for any person or persons being the owner, occupant, keeper or proprietor of any house, shop, store, saloon, room or other place within said City to permit the same to be used, frequented or resorted to by gamblers for the purpose of carrying on their profession or to allow, permit, assist in, aid, abet or encourage gambling at or within any of the places aforesaid or any game of cards or any other game of any kind for gain. Any person or persons violating the provisions of this section or any of them shall, upon conviction thereof, be fined in any sum not less than ten nor more than Fifty Dollars for each offense.

SEC. 165. It shall be unlawful for any person to enter, resort to, use or frequent for the purpose of gambling, any shop, store, saloon, room or other place within the City of Findlay, used or occupied for the purpose of gambling, or where or in which gambling is allowed, permitted or encouraged. Any person violating the provisions of this section shall, upon conviction thereof, be fined in any sum not less than Five nor more than Thirty Dollars.

SEC. 166. Any person or persons who, within said City of Findlay, shall gamble for money or other thing of value, or shall engage in any game of cards or any other game whatsoever for gain or wherein money or other thing of value or consideration whatever shall be staked or bet upon such game or who shall stake or bet money or other thing of value upon games played by others aforesaid shall, upon conviction thereof, be fined in any sum not less than ten nor more than Fifty Dollars.—*Vol. A, Page 366.*

SEC. 167. That the Mayor of said City hereby is authorized and directed to destroy or cause to be destroyed by burning or otherwise, all instruments and devices used for the purpose of gambling which have been or may hereafter be found, taken or seized by the police of the City or other authority in any gambling house, room, place or premises in said City, kept or used as a place for gambling or playing therein for wagers of money at any game of chance and which instruments have been brought before a Court of competent jurisdiction for the purpose of testimony or otherwise and proved to its satisfaction to have been so used and seized in such gambling places.—*Vol. A, Page 564.*

SEC. 168. That it shall be unlawful for any person or persons to engage in or be employed at cock fighting, dog fighting or to pit one animal against another of the same or of a different kind or any other similar cruelty to animals or to receive money for the admission of any person to a place kept for any such purpose, to use, train or possess a

dog or other animal for the purpose of seizing, detaining or maltreating any domestic animal within the limits of the City.

SEC. 169. That every person or persons guilty of any offense mentioned in Section 168 of this ordinance shall upon conviction thereof be fined in any sum not more than One Hundred Dollars nor less than Five Dollars.—*Vol. B, Page 91.*

SEC. 170. It shall be unlawful for any person or persons, between five (5) and eighteen (18) years of age, to get on or off, or attempt to get on or off, or cling to any street railway car or cars, within the City of Findlay, Ohio, while said car or cars are in motion.

SEC. 171. It shall be unlawful for any person or persons to get upon or attempt to get upon any street car within the City of Findlay, Ohio, for the purpose of obtaining a ride thereon, without paying his or her fare without the consent of the manager of said car.

SEC. 172. It shall be unlawful for any person or persons to get upon or attempt to get upon any carriage, sleigh or other vehicle while driven on or occupying any of the streets, highways or other public thoroughfares of the City of Findlay, Ohio, without the consent of the owner or driver thereof being first obtained.

SEC. 173. Any person violating any of the provisions of Section 170 to 172 inclusive, shall, upon conviction thereof, be fined in any sum not less than One (\$1.00) Dollar, nor more than Five (\$5.00) Dollars.—*Vol. D, Page 190.*

CHAPTER XIX.

MUFFLERS.

SECTION 174 Gas and Gasoline Engines to be equipped with.
SECTION 175 Penalty.

SEC. 174. That every user of a gas or gasoline engine, operated within the corporate limits of the City of Findlay, Ohio, shall equip said engine with an efficient muffler, through which the exhaust from said engine shall be passed.

SEC. 175. Any failure to comply with the requirement of the preceding section shall be punishable by a fine of not less than Ten Dollars (\$10.00) nor more than Fifty (\$50.00) Dollars.—*Vol. D, Page 367.*

CHAPTER XX.

OFFICERS.

SECTION 176 Salaries and Bonds.
SECTION 177 Salaries, how payable.
SECTION 178 Duty of Clerk of Council.
SECTION 179 Inspector of Gas.
SECTION 180 Appointment and Bond of.
SECTION 181 Duties.

SECTION 182	When meter deemed correct.
SECTION 183	Fees of.
SECTION 184	Notice before disconnecting meter and certificate.
SECTION 185	Inspector to have access to factories, etc.
SECTION 186	Council to provide appliance for.
SECTION 187	Street Commissioner—Appointment of.
SECTION 188	Sidewalk Inspector.
SECTION 189	City Engineer.
SECTION 190	Records to be kept.

SEC. 176. That the following officers and employees of the City of Findlay, Ohio, shall, during the term of two (2) years next succeeding the first day of January, 1912, receive the salary and enter into the bond herein fixed, which salary and bond for the respective offices and employments shall be as follows:

Office.	Salary	Bond.
Mayor	\$1200.00	\$ 3000.00
Mayor's Clerk	480.00	500.00
Auditor	1200.00	5000.00
Solicitor	1000.00	3000.00
Treasurer	500.00	75000.00
Director of Service	900.00	2000.00
Director of Safety	720.00	2000.00
Superintendent of Water Works	1000.00	2000.00
Street Commissioner	780.00	1000.00
Sidewalk Inspector	120.00	
City Engineer	900.00	2000.00
President of Council	150.00	1000.00
Members of Council, each	100.00	100.00
Superintendent Cemetery	900.00	1000.00
Chief of Police	900.00	2000.00
Patrolmen, each	720.00	100.00
Chief of Fire Department	900.00	1000.00
Firemen, each	720.00	100.00
Superintendent Garbage Plant	480.00	
Matron Hospital	840.00	
Assistant Matron Hospital	480.00	
Janitor Hospital	360.00	
Health Officer	720.00	1000.00
Infirmiry Director	100.00	
Janitor City Building	600.00	100.00
Clerk Department Service	400.00	1000.00
Clerk Cemetery	200.00	
Clerk Council	300.00	
Clerk Board Control	100.00	
Clerk Department Safety	300.00	500.00
Clerk Water Works	500.00	2000.00
Clerk Sinking Fund Trustees	100.00	
Assistant Clerk Water Works	360.00	
Members Civil Service Commission, each.....	25.00	
Water Works Engineers, three each	780.00	1000.00

One Sanitary Police	600.00	100.00
One Sanitary Police	720.00	100.00
Librarian	600.00	100.00
Assistant Librarian	300.00	
Janitor for Library	84.00	
Sealer of Weights and Measures	120.00	200.00

—*Vol. D, Page 380.*

SEC. 177. That said salaries shall be payable monthly out of the City Treasury, that no officers shall receive or demand any fee, fine, compensation or reward in addition to said salary, and all fees or other compensation which may come into the hands of any said officers shall be paid into the City Treasury by the officer receiving the same.—*Vol. C, Page 244.*

SEC. 178. That it shall be the duty of the Clerk of Council to be present at every regular and special meeting of the Council unless excused by the President, to keep a journal of all the proceedings of Council, and all other records which are now in use or required by law, or which may hereafter be adopted by the Council or other legal authority, and to prepare and keep up indexes to all such books and records, and to make all transcripts required by the Council. He shall do all the work usually performed or required of a secretary or clerk, and perform all the duties required of said officer by statute, and keep and preserve all the records of the office during his term and turn over to his successor all such records and all other property of the City. It shall be his duty to notify in writing all public officers and boards, persons and corporations of any action of the Council conferring an appointment or imposing a public duty. The Council will choose an assistant to the Clerk, whose duty it will be to serve all important notices.—*Vol. D, Page 2.*

SEC. 179. That the office of Inspector of Gas in and for the City of Findlay, Ohio, be and the same is hereby created.

SEC. 180. The Mayor of said City shall, with the confirmation of Council, appoint some suitable and competent person, who shall be known as the Inspector of Gas, who shall serve for the term of one (1) year and until his successor is appointed and qualified, shall enter into Bond, payable to the City of Findlay, in the sum of \$1000.00, conditioned for the faithful performance of his duties, and shall perform such duties as are herein provided, or may hereafter be prescribed by Council.

SEC. 181. Said Inspector of Gas shall, upon written demand of any consumer of natural or artificial gas, or any party furnishing such gas, inspect the quality of the gas so being furnished in said City by any person, firm, or corporation; and test any meter used by any person, firm, or corporation, to measure either natural or artificial gas furnished to a consumer; and upon like demand, of any user of electricity or party furnishing electricity, test any meter used by any person, firm, or corporation, to measure electricity furnished to a consumer; and if upon such inspection, such natural or artificial gas is not of the standard required by the laws of the State of Ohio or of the ordinances of the City of Findlay, Ohio, then the compensations for such inspection shall be paid by the person, firm, or corporation fur-

nishing such gas. If upon such inspection such gas or electric meter be found incorrect then the compensation for such inspection shall be paid by the person, firm, or corporation owning such meter, otherwise, by the person, firm, or corporation demanding such inspection.

SEC. 182. A gas or electric meter not exceeding 3 per cent fast or 3 per cent slow shall be deemed correct within the meaning of this ordinance.

SEC. 183. Said Inspector of Gas shall receive for his services, the following compensation, to-wit:

For making an inspection of quality of gas, \$10.00.

For inspecting, proving and re-setting a gas meter, \$1.00.

For testing, proving, and re-setting an electric meter, \$1.00.

SEC. 184. Before disconnecting any meter, the Inspector of Gas, shall notify in writing, the person, firm, or corporation, furnishing natural or artificial gas or electricity, through said meter, of the time, and place of such disconnection. And the party furnishing such electricity or gas, shall have the privilege of being present and making such disconnection and of re-setting said meter if correct, at his or their election, but failing to do so, the Inspector is hereby authorized to disconnect such meter and make a temporary connection to supply the consumer of such gas or electricity, during the interval of test or inspection, and if upon inspection such meter be found correct, said Inspector shall promptly and carefully, re-set the same. Any meter found upon inspection to be correct shall be so certified by the Inspector and sealed by him. In case any meter so tested shall be found incorrect such meter shall not be re-set until it has been corrected by the owner thereof, nor shall any meter be hereafter set which is not correct. Either the person, firm, or corporation furnishing gas or electricity, or any consumer may, at his or their election, before any meter shall be set either by the consumer or party furnishing gas or electricity in this City, require the Inspector of Gas to prove such meter, and if correct to so certify and properly seal the same, upon payment of a fee of \$.25 to such Inspector, which fee shall either accompany the demand for the original inspection of such meter, or be paid before such Inspector of Gas shall be required to perform such services.

Any party interested in the result shall be permitted to be present at the making of any inspection or test by the Inspector of Gas.

The result of any such inspection shall be certified in triplicate by the Inspector of Gas, one copy of said certificate shall be delivered to the party furnishing such gas or electricity, one copy to the consumer, and the third copy placed on the files of the office of Inspector of Gas with the demand for such inspection.

Any person, firm, or corporation setting any meter contrary to the provisions of this section, or violating any of the provisions of Section 7 hereof, shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined in any sum not less than Fifty (\$50.00) Dollars nor more than Two Hundred (\$200.00) Dollars.

SEC. 185. The Inspector of Gas shall at all reasonable times, have right of access to, and inspection of, all factories, shops or works where gas or electricity is manufactured or consumed in said City and all appliances therein, or appurtenances thereto, and may in the per-

formance of his duties enter and inspect any premises where gas or electricity is manufactured or consumed.

SEC. 186. Council shall provide the Inspector of Gas, from time to time, with such tools and appliances as shall be necessary to a proper discharge of his duties and shall provide a place where the same may be safely kept. Nothing in this ordinance contained shall be so construed as to preclude the owner of any gas or electric meter from removing the same for the purpose of repair.—*Vol. D, Pages 158-201-213.*

SEC. 187. That the Director of Public Service shall elect a Street Commissioner whose duty it shall be to superintend the cleaning and repairing of all streets, public highways, cross-walks, and catch basins in the corporate limits of said City, which territory is hereby formed and established as a road district. That said Street Commissioner shall be under the control of and subject to the orders of said Director of Public Service, while in the performance of his duties.—*Vol. C, Page 281.*

SEC. 188. That the said Sidewalk Inspector shall be and is hereby invested with police powers the same as the City Police Force and his duties shall be to inspect and look after the construction of sidewalks constructed by order of the Council and do and perform such other duties as the Council may from time to time order.

He shall be under the control and authority of the Mayor for the purpose of hunting up and procuring the numbers and owners of lots along which the Council orders sidewalks to be constructed and for the service of notice for the construction of the same.—*Vol. B, Page 55.*

SEC. 189. The Civil Engineer shall perform and discharge all duties made incumbent upon said office by the laws of Ohio and the ordinances of the City now in force and hereafter to be passed, and all such other duties as may be required by the rules, regulations and resolutions of the Council from time to time adopted.

SEC. 190. The Civil Engineer shall procure a suitable book to be paid for and owned by the City, in which he shall record all grades, surveys, distances, places, bench marks, heretofore and hereafter made, and all other matters and information necessary to secure the engineering interests of the City; which book at the expiration of his term of his office, he shall deliver to his successor.—*Vol. A, Page 512.*

CHAPTER XXI.

PARKS AND PUBLIC BUILDINGS.

SECTION 191 Unlawful to deface or injure.

SECTION 192 Penalty.

SECTION 191. That it shall be unlawful for any person to mar, deface, or in any manner injure any of the public buildings of said City, or to pluck, injure or destroy any of the flowers, plants, shrubbery or trees that are now growing, or may hereafter be planted, set out or grow in any of the public parks or along or upon any of the public streets or avenues of said City.

SEC. 192. Whoever violates Section 191 of this ordinance shall upon conviction thereof be fined in any sum not less than One Dollar nor more than Twenty-five Dollars and cost of prosecution.—*Vol. B, Page 544.*

CHAPTER XXII.

POLICE COURT.

SECTION	193	Court Established.
SECTION	194	Office of Police Judge Abolished.
SECTION	195	Mayor vested with power of Police Judge.
SECTION	196	Solicitor shall be prosecutor.
SECTION	197	Bond of Clerk.

SECTION 193. That a Police Court of and for the City of Findlay, Ohio, be and the same is hereby created and established, the same being deemed expedient and required by law.

That the officers of said Court shall consist of a Police Judge, a Prosecuting Attorney and a Clerk.

That all persons charged with offenses against any City ordinance shall be put on trial for such offense in Police Court as herein created and established.—*Vol. C, Page 286.*

SEC. 194. That the office of Police Judge of the City of Findlay, Ohio, be and the same is hereby abolished.

SEC. 195. That the Mayor of the City of Findlay, Ohio, is hereby vested with the powers of a Police Judge as provided by the Revised Statutes of the State of Ohio.—*Vol. D, Page 344.*

SEC. 196. That the City Solicitor shall act as Prosecuting Attorney of said Court unless otherwise provided by the Council.

SEC. 197. That the Clerk of said Court shall give bond in the sum of \$1000.00, conditioned according to law.—*Vol. C, Page 246.*

CHAPTER XXIII.

POLICE DEPARTMENT.

SECTION	198	Number of officers.
SECTION	199	Salaries.
SECTION	200	Bonds.
SECTION	201	To be classified.
SECTION	202	Resisting officers.
SECTION	203	Penalty.
SECTION	204	Uniforms.
SECTION	205	Equipment.
SECTION	206	To be returned.
SECTION	207	To be worn by Officers—When.

SECTION 198. That the Police Department of the City of Findlay, Ohio, shall be composed of the following officers, to-wit: One Chief of Police and Eight (8) Patrolmen.

SEC. 199. The salaries of the officers of the said department shall be in the amounts following to-wit: Chief of Police \$75.00 per month, each patrolman \$60.00 per month.

SEC. 200. The bonds of the officers of said department shall be in the amounts following, to-wit: Chief of Police \$1,000.00. Each Patrolman \$100.

SEC. 201. The Police Department as constituted herein shall be classified for appointment thereto by the Director of Safety as required by law.—*Vol. D, Page 263.*

SEC. 202. That it shall be unlawful for any person or persons to knowingly and wilfully resist, obstruct or abuse any police officer in the discharge of his duties.

SEC. 203. That whoever violates any of the provisions of Section 202 of this ordinance, shall, upon conviction thereof, be fined in any sum not more than Five Hundred Dollars or imprisoned more than thirty days.—*Vol. B, Page 139.*

SEC. 204. That the members of the police force of the City shall be uniformed and equipped as follows: The uniforms shall consist of a double breasted sack coat, single breasted vest, double breasted overcoat, and trousers, and black fur police helmet; that said coats and vests and trousers to be made of dark blue cloth the coats and vests to be trimmed with German silver buttons; the hats to be trimmed with cord and acorn band.

SEC. 205. Each member of said force shall be equipped as follows: One Bean's patent flexible 14-inch police club; one Tower's perfect twisters; one Bean's Police Call; one No. 4 a number and wreath for hat; one 4 a badge, lettered "City of Findlay."

SEC. 206. The buttons for the uniform and the equipments mentioned in Section 2, shall be furnished by the City, and when delivered to any police officer he shall be charged with and accept and be responsible for the same, and at any time on demand by the Mayor, or when his term of office expires, resignation, discharge or otherwise, he shall return the same to the Mayor in good order, and shall give bond in such sums as the Council by resolution may from time to time prescribe, that he will safely keep and return said equipments mentioned in Section 205.

SEC. 207. All police officers whenever and while upon duty shall wear the uniform and equipments required by this ordinance, unless and except when for sufficient reason otherwise ordered by the Chief of Police.—*Vol. A, Page 510.*

CHAPTER XXIV.

PUBLIC HEALTH.

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*RULES AND REGULATIONS OF THE BOARD OF HEALTH
GOVERNING THE SALE OF MILK AND CREAM.*

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SECTION	298	Sanitary District.
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SECTION	300	Notice by Board of Health.
SECTION	301	Penalty.

SECTION 208 No person or collection of persons living as or composing one family, shall be allowed to keep more than one animal of the

hog kind or sheep kind in any pen or inclosure on any premises in the City of Findlay, Ohio, containing less than one acre in an enclosed tract, at any one time; provided, however, that before so keeping any animal of the hog or sheep kind, the person or persons as above described shall first have obtained a written permit from the Board of Health or the Health Officer of said City to so keep such animal or animals and such permit may at any time be revoked by said Board, and each and every pen for such animal shall have a floor of wood or stone and be under cover, and provided, further, that in parts of the City remote from the thickly settled districts or in parts used for agricultural purposes, the Board of Health may give permission subject to revocation for cause, to keep a greater number of animals of the hog or sheep kind.—*Vol. C, Page 91.*

SEC. 209. That no person or persons shall place or allow to be used any hog pen, privy, chicken coop or poultry house, barn or barnyard or place where horses or cattle are kept nearer the abutting or adjoining lot of any other person than six feet, or nearer any street, avenue, park or public ground (except public alley) than thirty feet; or on a corner lot if opposite a lot front and when such lots abutt and no alley separates the corner lot from such other lot, then not nearer than thirty feet to the property line between such lots.—*Vol. C, Page 204.*

SEC. 210. No privy vault, sink or hole used as a place of deposit of night soil in the City shall be allowed by the owner, lessee, agent, tenant or occupant of the premises upon which such privy, vault, sink, or hole shall be situated, to become filled within two feet of the general surface of the ground in its immediate vicinity, nor shall any person or either or any of them allow the contents of said privy vault, sink or hole, to be drained into any hole or excavation in the ground, nor shall such person or any or either of them allow the contents to be covered with earth or other substances and allowed to remain in the ground without a written permit from the Health Officer, nor shall any privy vault, sink or hole be abandoned unless the same is first cleaned.

SEC. 211. No contents of any sink, cess-pool, privy vault or other filthy place, or soluble night soil, shall be transferred through streets, avenues, alleys or other public places of the City, except in some air-tight apparatus that shall prevent the contents from emitting nauseous or unwholesome odors, vapors or gases, nor shall any portion of such contents be spilled or deposited on any street, lane, alley or public place in the City or so near thereto as to be offensive to the public.

SEC. 212. All privy vaults and cess-pools shall, from time to time be emptied and cleaned whenever ordered by the Board of Health, but their contents shall first be disinfected and rendered inoffensive by the owner, lessee or occupant of the premises where the same may be, or in default of the same being so done by the owner, then by the contractor, who removes or is about to remove the same. And for all such matters so disinfected and rendered inoffensive the person (not being such tenant, owner or occupant) who shall so disinfect and remove the same shall be entitled to demand and receive such compensa-

tion as the Board may from time to time determine, to be paid by such tenant, owner or occupant.

SEC. 213. No person or persons shall engage in the business of removing or conveying away the contents of any privy vault or other receptacles of night soil, within the limits of the City, unless said contents shall first have been completely deodorized by the application of an intermixture of a solution of not less than six pounds of copperas in each vault, and as much more as may be necessary, or by the use of some other deodorizer to be approved and ordered by the Board of Health, or by the use of some odorless apparatus, approved by the Board of Health and its use to be subject to such rules and regulations as said Board may prescribe.

SEC. 214. No place shall be used or occupied as a slaughter house in this City, except by the permission of the Board of Health and every butcher and every person owning, leasing or occupying any place, room, or building where any cattle have been or are killed or dressed, and every person being the owner, lessee or occupant of any room, stable, (where any cattle may be kept) or market, public or private, and having authority to do so, shall cause such place, room, building, stall and market and their yard and appurtenances to be thoroughly cleaned and purified, and all offal, blood, fat, garbage, refuse and unwholesome or offensive matter, to be removed therefrom, at least once every twenty-four hours, after the use thereof for any of the purposes herein referred to, and shall also at all times (unless some public authority prevents) keep all wood work save floor and counters in any building, place or premises aforesaid thoroughly painted or white-washed.

SEC. 215. No person shall boil, steam or render any offal, swill, bones, impure animal matter or grease within the City, nor shall the business of bone crushing, bone boiling, bone grinding, bone burning, shell burning, nor skinning or making glue from any dead animals or parts thereof, nor any other occupation that is dangerous or detrimental to life or health, be permitted in the City without a special permit from the Board of Health, nor shall any person work or engage in such business or occupation, and every such business and pursuit shall be promptly discontinued unless the continuance thereof shall be allowed by a permit from the Board of Health.

SEC. 216. Lard, fat and tallow rendering and heating, or steaming of any vegetable product, or substances generating nauseous, or unwholesome odors, or gaseous vapors, shall be conducted in steam tight kettles, tanks, or boilers, and such method adopted as will entirely condense, decompose, deodorize, or destroy the odors, vapors, and gaseous products emanating therefrom.

SEC. 217. No soap boiler, tallow, chandler, candle glue, butcher or dealer in hides, skins, groceries, provisions, or other persons shall keep or use or cause to be kept or used any stale, or putrid or stinking fat, grease, meat, hides, or skins, or any putrid vegetable or animal substances, within the City, nor shall undressed hides or skins be suffered to remain on any sidewalk or in any avenue, street, lane, alley or public place, for a longer period of time than is indispensably necessary for the receiving, delivering, loading or unloading of the same.

SEC. 218. Every person shall observe and obey each and every special regulation and every order of the Board of Health, that is or may be made for carrying into effect any of the foregoing rules, regulations, ordinances or powers or any law of this State or otherwise, whether issued directly by the Board, or promulgated by its Health Officer as if the same has been herein inserted at length.

SEC. 219. Any person who shall do or permit or suffer anything to be done or continued which is prohibited by this chapter or any section or sub-division thereof, or which may be prohibited, by the Board of Health, he or she having power and authority to prevent or discontinue the same, or shall refuse or neglect to do anything herein required and enjoined or which shall be hereafter by ordinance lawfully and legally ordered or required by said Board, he or she having power and authority to comply with or cause the same to be complied with, shall be deemed guilty of, having caused, permitted, or continued the nuisance, act or thing so prohibited and complained of or guilty of refusal to comply with such order, and shall be fined for each offense a sum of not exceeding Fifty Dollars and not less than One Dollar, and each day's continuance of any nuisance after notice from the Board or any of its officers shall be deemed an additional offense.

SEC. 220. Whoever violates any written order or notice from the Board of Health made in pursuance of the laws of the State, or of this chapter, or whoever obstructs or interferes with the execution of any such order or wilfully or illegally omits to obey any such order shall be fined in any sum not less than One Dollar and not more than Fifty Dollars.

SEC. 221. It shall be the duty of every undertaker, or other person before removing any corpse for burial, to obtain from the department of Health a permit to do so; and before obtaining such a permit he shall deposit in their office a certificate setting forth as nearly as can be ascertained, the name, age, sex, nativity, color and occupation, whether married or single, number and street of late residence in the City; time of residence therein and (when a non-resident) place of previous residence, cause and date of death, duration of last illness, and the place and date of intended interment and any other information required by the Board of Health on printed form to be furnished for such purpose, which certificate shall be signed by the physician or surgeon in attendance at the time of death. In case no physician or surgeon was in attendance, the certificate shall be signed by some relative or attendant, and all certificates necessary to complete a proper death return, whether signed by physicians, surgeons, undertakers or other persons, shall be plainly and legibly written with ink. In case a coroner's inquest shall be held, that fact shall be stated and the coroner shall be required to certify the facts to the Department of Health. If any such physician, surgeon, relative or attendant refuse to sign such certificate such undertaker or other person shall report the same to the Health Officer, who shall forthwith investigate the case. No undertaker or other person shall use any vehicle other than a hearse, for the purpose of conveying to any cemetery the body of any person dying with cholera, yellow fever, smallpox, scarlet fever, diphtheria or other contagious disease, and a hearse so used shall not again be used until

thoroughly fumigated and disinfected; nor shall the body of any such person be carried into any church, hall or other public place.

SEC. 222. In case at any time the unburied remains of a deceased person begin to emit an offensive odor, such remains, whether deposited in a vault designed for the reception of bodies, or elsewhere within the City, shall be buried within twelve hours thereafter, or within such longer time as, in a particular case, the Board of Health may fix, for good cause shown; and when such remains are in a receiving vault of the kind herein mentioned the sexton in charge of the vault and body, as well as the next of kin or other legal custodian of the body, shall be held responsible for any violation of this standing order.

DISEASES.

SEC. 223. A pest house, hospital, dwelling, or place of abode in which any person ailing with any contagious disease, infectious, pestilential or other disease dangerous to the public health is or has been, shall be and remain under the control of the Board of Health so long as the disease exists or the place is dangerous to the public health; and no person shall enter or leave the same if forbidden by the Board or its proper officers.

SEC. 224. No person having any contagious disease, infectious, pestilential or other disease dangerous to public health, shall go into the public streets, places or conveyances, nor into any public or private house, other than his place of abode, or a pest house or hospital nor shall any member of the family, or person in attendance, who may communicate the disease; nor shall any person give, lend, sell, transmit, convey, use or expose any clothing, rags, bedding, or other thing which has been exposed; or use any carriage in which such a person has been, until the same has been thoroughly disinfected and approved by the Board of Health.

SEC. 225. No school, trustee, superintendent, board, teacher, or other person having charge or control of any school-room, school, or schools, public or private, shall admit to the same any person recently ill of, or exposed to any disease of the following classes, to-wit: Smallpox, cholera, yellow fever, typhus fever, diphtheria, membranous croup, scarlet fever, or measles, except upon presentation of a written permit or certificate of recovery issued by the Board of Health.

SEC. 226. Every room, building, or premises within the City which are occupied by any person as a place of abode, or for manufacturing, business, or other purpose shall be provided with ample and convenient water closet and privy accommodations, either within the building upon the premises, or conveniently near; and all such water closets and privies shall be well constructed and in all respects suitable for the sexes and number of persons employed in, or occupying such room, building or premises and shall at all times be kept in good repair and sanitary condition by the owner, lessee, occupant or other person having control of such room, building or premises.

SEC. 227. No person or persons shall place or allow to be used any privy nearer the abutting or adjoining lot of any person than six

feet nor nearer any dwelling, street, park, or public ground, except a public alley, than thirty feet.

SEC. 228. No privy vault, cess-pool or reservoir into which a privy, water closet, stable or sink is drained, except it be water tight, shall be established or permitted to exist within fifty feet of any well, spring, or any other source of water supply used for drinking or culinary purposes.

SEC. 229. No person shall hereafter bury any night soil within the City of Findlay, nor shall any person place any night soil upon the surface of the ground, or mix it with the surface dirt of any garden or other lands within said City.

SEC. 230. No person, company, or corporation shall remove, transport, or convey any night soil, or the contents of any privy from, through or into the City of Findlay, Ohio, without a permit to do so, first obtained from the Board of Health.

SEC. 231. Any person wishing to move, transport, or convey night soil or other contents of any privy from or through the City of Findlay, Ohio, may do so if he has the power appliances therefor, and has complied with all ordinances of the City relative to the procuring of licenses, the giving of bond and obtaining of permits from the Board of Health.

SEC. 232. No contents of any sink, privy or other filthy place shall be transported through the streets, avenues, alleys, or other public places of the City of Findlay, unless in an air-tight vessel, receptacle or wagon so constructed as to prevent the escape of nauseous odors, vapors, or gases.

SEC. 233. No vehicle or receptacle for the removal of night soil, other substance of a filthy nature, or from which nauseous vapors or gases arise, shall be allowed to stand, except while loading, in any public street, avenue, or public ground of the City of Findlay.

SEC. 234. The removal of night soil, and other filthy substances or liquids, other than garbage as defined in the ordinance defining the same and providing for the removal thereof, shall be made only at such hours and in such a manner as the Board of Health may specify and adopt. If it is removed to the dump ground owned or controlled by the City, it shall be done in strict conformity to the regulations prescribed by the Board of Health and the statutes of the State of Ohio, and if removed elsewhere without the City, ample provision shall first be made to prevent its becoming a cause of offense or complaint.

SEC. 235. No person shall remove the contents of any privy without a permit therefor from the Board of Health.

SEC. 236. No person nor persons engaging in the business of vault cleaning shall be permitted to charge or collect from any person for so doing more than twelve and one-half cents per cubic foot for such service.

PREMISES.

SEC. 237. No distiller, tanner, soap boiler, brewer, tallow candler, meat packer, dyer, livery stable keeper, manufacturer, market man, shop keeper, restauranter or other person shall discharge out of or permit to flow from his premises, any substance or liquor whatsoever that

is or may become foul, putrid, nauseous, offensive or dangerous to public health.

SEC. 238. No fat, lard, grease, flesh or bones shall be brought into the City to be rendered, melted, boiled or cleaned except in the preparation of human food; and none shall be rendered, melted, boiled or cleaned within the city in the preparation of human food, if the operation tends to make the premises and air in and about it nauseous or offensive.

SEC. 239. No person owning or occupying any yard, room, building, stall or other place where animals, fowls or fish are slaughtered dressed or cleaned or kept alive or dead, shall allow the premises or place to become nauseous, filthy or offensive.

SEC. 240. No person shall keep within the City for more than 24 hours between the months of April and November, any uncured hides, except at the place where the same are to be manufactured.

SEC. 241. From every livery stable and private premises situated within five rods of any dwelling house where more than two animals of the horse, mule or cattle kind are kept, the manure shall be hauled away at least once a week between March and November of each year, and at least once a month during the rest of the year; and when a private premises is situated more than five rods from any dwelling house or when a less number is kept at least once a year on or before May 1 and as much oftener as is necessary to avoid a nuisance.

SEC. 242. No dead animal or animals shall be buried within the City of Findlay, Ohio, nor allowed to remain therein except when properly prepared and dressed for food purposes longer than twenty-four hours.

SEC. 243. No person shall suffer or permit any cellar, drain, pool, sink sewer or other place upon any premises belonging to or occupied by him, to become or remain wet, foul or offensive.

SEC. 244. No opening between or in the rear of buildings on street, or alley, public or private on public ground or place used as such, shall be, at any time, used for water closet or privy, nor shall any water or other substance or liquid be thrown from any window or other opening buildings, public or private, at any time.

SEC. 245. Whosoever puts the carcass of any dead animal, or the offal from any slaughter house, or butcher's establishment, packing house, or fish house, or any spoiled meat, or spoiled fish, or any putrid substance or decaying animal or vegetable matter, or the contents of any or the offal from any slaughter house, or butcher's establishment, packing house or any fish house, or any spoiled meat or spoiled fish, or any putrid substance, or decaying animal or vegetable matter, or the contents of any privy vault upon or into any river, creek, pond, road, street, alley, field, lot, meadow, public ground, market place or common, except at such place or places as may be provided by the Board of Health, and whoever being the owner or occupant of any such place, knowingly permits any such thing to remain therein to the annoyance of any of the citizens of this City, neglects or refuses to remove or abate the nuisance occasioned thereby, within four (4) hours after knowledge of its existence upon any of the above described premises, owned or occupied by him, or after notice thereof in writing from the Health Officer or

Board of Health of this City shall upon conviction thereof be punished as hereinafter provided.

SEC. 246. No person shall keep or use any pen for animals, chicken coop or barnyard so near any other premises upon which any other person resides to be offensive, nor at any time in such manner that the contents thereof are discharged or run upon, said other premises, or on any street, lane or alley in the City.

SEC. 247. No person shall deposit or use or allow to be deposited or used to fill any low place or raise the surface of any lot or ground public or private, any substance or material which is offensive or tends by decay, to become putrid, or to render the surrounding water or air unwholesome or offensive.

SEC. 248. No owner or possessor of any animal which shall have died from disease, or been killed, shall knowingly suffer the same to lie on any public ground, street, lane, alley, or any private lot or premises within the City.

SEC. 249. Whoever employs or causes to be employed any person in any factory, workshop, or other place, shall not put at work in any room or place a greater number than the laws of health will warrant. He shall provide all rooms and places of employment with ample means of ventilation, shall provide such places with adequate means of escape in case of fire; and shall securely guard all belting, shafting, gearing, elevators, and all other parts of machinery which would otherwise be dangerous to employees engaged in the discharge of their proper duties.

SEC. 250. No owner, agent, landlord, lessee or other person having charge or control of any dwelling house, tenant house, building, room or apartments used by any persons as a place of abode or for working, cooking, living or sleeping rooms, shall at any time permit such house, building, room or apartments to be occupied by so great a number of tenants or occupants as to jeopardize the health, comfort or convenience of any of the citizens of the place, neighborhood, or city; and whenever the Board of Health shall, in view of all the circumstances, consider that any such house, building, room, or apartments have become or are crowded to the extent aforesaid, and shall order, the owner, agent, landlord, or other person having charge or control of such house, building, room, or apartments, so to do, he shall immediately cause such persons, or such proportion of said tenants or occupants as the Board of Health shall specify, to permanently remove out of such house, building, room or apartments.

OFFAL AND DEAD ANIMALS.

SEC. 251. No person shall remove or convey, personally, or by agent, into or through any of the streets, alleys, avenues, public grounds or other places within the City, any house offal, or any refuse from any dwelling, store, shop, or other place; unless such person shall have procured a written permit to do so from the Board of Health, prescribing the terms and conditions of such employment deemed essential to the health and comfort of the citizens.

SEC. 252. The dump ground leased, contracted for, or owned by said Board as well as the improvements thereon, the wagons, barrels, and other implements used by said Board of Health, shall at all times

be under the absolute control of the Board of Health, and any person desiring to go upon said grounds, use said implements, tools or grounds, shall do so only by permission of said Board, and by complying with its rules, regulations and instructions pertaining thereto.

SEC. 253. No person shall throw or discharge into the Blanchard River or its tributaries within the City, excepting what is discharged through the underground sewers and drains, any liquid or solid, matter or thing whatsoever, unless by permission first obtained of the Board of Health of the City of Findlay.

DRAINS AND SEWERS.

SEC. 254. Any person emptying or cleaning a catch basin shall place the contents thereof in tight barrels or other receptacle and at once remove the same to the dump ground and before leaving said catch basin fill it with clean water to a height covering the stench trap.

SEC. 255. The person owning or controlling as tenant, agent or otherwise, any cellar, lot or parcel of land upon which the water stands or collects, or which is moist or wet by reason of a want of, or by reason of defective drains or sewers, shall as soon as known, level, drain, or sewer the same so as to make the same dry and sanitary.

SEC. 256. For all premises within the City, whereon there is from time to time, surplus or refuse water or slops to be disposed of, and there is a public sewer so located as to permit the necessary connection, provision shall be made, by an adequate slop bowl, sink, or other suitable arrangement connecting with the public sewer, to fully and completely drain and carry into such sewer all surplus and refuse and refuse water and slops.

SEC. 257. Every privy, water closet, urinal, sink, slop bowl, or other similar fixture, connected with any public or private sewer, shall be provided with a good trap, of standard pattern, located as near as practicable to such privy, urinal, sink or other fixture; and such trap shall be so connected and adjusted as to wholly prevent the escape of gas at such sewer connection.

SEC. 258. No person shall, within the City sell, offer for sale, or have in, at or about the store, market, stall, wagon, or other place where he offers or has meat for sale the meat of any animal having a swelling or ailment, or being to appearance, or within the knowledge of the owner or employe, in a condition other than strictly normal and healthy, unless before slaughter the animal has been examined by the Board of Health or properly designated instantler and in writing certified to be healthy and fit for human food.

SEC. 259. No person shall within the City of Findlay, Ohio, either as owner, agent, employe, or otherwise, sell, furnish, offer, or expose for sale, or buy or have in possession with intent to sell or to furnish to any person, for consumption as human food or drink any of the following:

(a) The meat of any calf under four, or lamb under twelve weeks of age when slaughtered.

(b) The meat of any animal killed when so far advanced in pregnancy as to make the meat unwholesome.

(c) The meat of any animal killed while in an overheated or feverish condition.

(d) The meat of any animal or fowl, when one or more from the same herd or flock have within thirty days previous to the time of killing such animal or fowl, been sick, or died of any disease communicable except upon permission in writing from the Board of Health.

(e) That meat of any animal or fowl which, for some accident or other cause, suffered long continued pain before being slaughtered.

(f) The meat of any animal or fowl which died of itself, or from which, for any reason the blood has not been properly drained.

(g) The meat of any swine, fed wholly or principally upon swill, garbage, or offal, for the period of four weeks before slaughtering.

(h) The meat of any animal or fowl kept in any place where the water, food and ventilation were not sufficient for the preservation of a healthy condition.

(i) Any substance or liquid intended for human food or drink, if the same is blown, putrid, decayed, heated, impure, or unwholesome or has been adulterated or defiled in any way.

And wherever any member or officer of the Board of Health shall find, in any place whatsoever any article, meat, substance or liquid belonging to any of the classes enumerated in this standing order, in violation of its provisions, such member or officer may immediately condemn the same, and take into his possession and make proper use or disposition thereof as he may deem proper, or he may require a person having charge of, or being responsible for the same to make disposition thereof according to the directions of such member or officer.

SEC. 260. Any person manufacturing sausage, cooked meat, or any other meat preparation, shall carefully inspect each and every piece of meat entering into such preparation, and shall reject any piece about which there is any doubt as to its being good and wholesome; and any person selling such meat preparation, or offering the same for sale, shall know and state truly when requested by a person interested, the kinds and all kinds of meat entering into such meat preparation, and the fact that such meat preparation was made without the City, shall be no excuse for not knowing and stating truly the said fact.

SEC. 261. No person shall keep, retain, or employ to be retained within the City any horse, ass, or other animal having the disease known as the glanders or farcy nor any dog or other animal having the disease known as rabies, nor any animal known or supposed to have been infected by bite or otherwise, and liable to have either of said diseases.

SEC. 262. No person shall allow to grow or bloom upon any lot or premises within the City, over which he has any control, as owner, agent, keeper, lessee, occupant, or otherwise, or upon or along the street, avenue, alley lane or sidewalk abutting the same, any ragweed, golden rod, or any other woody or vegetable growth which is or may become offensive or dangerous to health.

ICE FOR DOMESTIC USE.

SEC. 263. No ice shall be sold for domestic use in the City of Findlay, Ohio, that is cut or provided from running streams at points

below which sewerage is emptied, or from bodies of stagnant or impure water or from quarries containing sewerage or other foul or refuse matters or substances of like character.

SEC. 264. An act of the Health Officer; a Sanitary Policeman, or other duly qualified officer of the Board of Health, when acting within the limits of reasonable exercise of authority or discharge of duty, shall be considered and held to be the act of said Board.

SEC. 265. Whoever violates any of the sections of this Sanitary Code, or obstructs or interferes with the execution of any provision, or willfully or illegally omits to obey any such requirements of the Board of Health, shall upon conviction, be fined in any sum not exceeding fifty dollars and costs, and may be committed till said fine and costs are paid, or secured to be paid, or he be otherwise discharged by law.—*Vol.*

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SEC. 266. The Board of Health of the City of Findlay, shall keep for public inspection a record of the names, residences and places of business of all persons engaged in the sale of milk and cream in said city.

SEC. 267. No person or persons shall sell milk or cream within the City of Findlay without first having been granted a permit therefor by said board, as hereinafter provided.

SEC. 268. Every milk and cream vender, selling or offering for sale, exchanging or delivering milk or cream within the limits of the City of Findlay, shall pay for a permit so to do, the sum of fifty cents. Said fee shall be paid when application is made for a permit under the provisions of said rules and regulations, and shall be paid, except as provided in the General Code, twice each year.

SEC. 269. On or before the first day of January and July of each year, permits will be granted by the Board of Health for the half year or fraction thereof ensuing, to all applicants therefor, who have complied with the provisions of this ordinance; but before the issuance of any permit to any vender of milk or cream, or either, he shall make an application thereof on a printed blank provided by the Board of Health for that purpose, on which it shall be stated under oath:

(1) The name, residence, postoffice address of the applicant and the location of the dairy or business place for which the permit is desired.

(2) If the applicant be a producer of milk or cream, the average number of cows kept from which milk is produced for sale, and the kind of feed which the cows are given.

(3) If the applicant is a vender only, the source of his milk or cream supply, and the average number of gallons purchased daily for trade purposes.

SEC. 270. If after the issuance and delivery of the permit any change be made in the location of the place of business or the number of cows stated in such application, notice thereof must forthwith be given in writing to the Board of Health. If any person engage in the business of vending milk or cream after said first day of January and before the first day of July, or after said first day of July and before said first day of January following, he shall forthwith make application for a permit for the remainder of said one-half year. If said applicant

is a producer of milk, said application shall state the number of cows in his dairy herd, or if he buy of a producer of milk, of from any other person or persons, the such application shall state the number of cows in the dairy herd of the person or persons from whom he obtained such milk.

SEC. 271. The said Board shall not issue any such permit until they are satisfied, after inspection, with the cleanly and sanitary condition of the stable, cows, wagons, store or place of business of the applicant therefor, and of all of the utensils used by him from which his milk or cream is obtained or into which it may be placed, and that the food given to the cows is pure and wholesome, and that all persons engaged in the caring of the cows and handling of the milk or cream are free from any contagious disease, and that said persons use proper cleanliness in their work. Such application shall be signed by the applicant, and when received by the Board of Health shall be placed on file and the name of such applicant shall be entered in a book of registration kept for such purpose. The filing of such application for a permit shall authorize such applicant to continue the prosecution of his business until the Board of Health takes official action thereon, and either issues a permit to such applicant for sale of milk or cream or refuses so to do.

SEC. 272. If after issuing such permit to sell milk or cream, the said Board of Health shall become satisfied that the provisions of Section 271 are being violated they shall forthwith revoke the permit issued to such persons or persons, and no new permit shall be issued until all unsanitary conditions have been rectified, and all other provisions of this ordinance complied with.

SEC. 273. Any such applicant or any person from whom such applicant obtains his milk shall permit and cause to be made an inspection and examination of the dairy and the dairy herd of such applicant or the dairy and the dairy herd of the person from whom such applicant obtains his milk, and of each and every animal by them or either of them owned, controlled, or used for the purpose of producing milk for sale in said City, and any refusal upon the part of said applicant or the person from whom such applicant obtains his milk to permit or cause to be made such inspection shall be grounds for the refusal of the Board of Health to issue a permit to such applicant.

SEC. 274. The Health Officer or any persons designed by said Board shall have the right to enter and inspect or examine all places where milk or cream is kept or exposed for sale within the limits of the City of Findlay.

SEC. 275. If the dairy and herds and animals of such applicant, or the dairy and dairy herds and animals of the person from whom applicant obtains his milk are located within the County of Hancock, it shall be the duty of the Board of Health upon filing of such application with it to inspect or cause to be inspected under its direction and supervision, all such dairy and dairy herds and animals for the purpose of detecting the presence or absence of any contagious or infectious disease, and the Board of Health, or its duly authorized agent, may, whenever it considers it advisable, order the tuberculin test on any cow or animal contained in a dairy, which test shall be made by some

qualified veterinary surgeon at the expense of the owner of the cow or animal, and such veterinary surgeon shall submit a written statement to the Board of Health of his examination or test. Such examination or test for tuberculosis shall embrace.

1. Ascertaining the history and present physical condition of the individuals composing it, especially their temperature or body heat.
2. The injection of a specific agent called tuberculin beneath the skin.
3. The determination of the variations of temperature during a limited period before and after injection; and
4. Deductions from these variations, determining the presence or absence of tuberculosis.

SEC. 276. If any cow be sick or diseased, the owner or person in charge thereof shall not sell, offer for sale, exchange or deliver or keep or expose for sale, exchange or deliver the milk or cream thereof, but shall at once destroy the same. If, in the opinion of the Board of Health, any cow is afflicted with a contagious or infectious disease, it shall direct the owner, or person in charge thereof to forthwith remove said cow from the premises to a place where it may not spread or cause contagion or infection; a violation of this Section shall be deemed a misdemeanor, and upon conviction the offender shall be punished as hereinafter provided.

SEC. 277. In order to ascertain whether the owner thereof or dealer therein is caring for said milk in a sanitary manner and in such a way as not to endanger the lives and health of the citizens of Findlay, said Board shall have the right to take samples of milk or cream not exceeding one pint from any can, vessel, bottle or receptacle, for the purpose of inspection, testing and analyzing said milk and whenever a sample or samples so found and taken shall not correspond with or shall be in violation of requirements of this chapter, the person or persons, firm or corporation in whose possession, care, custody or control such milk or cream may be found, shall be deemed guilty of a misdemeanor and punished as hereinafter provided.

SEC. 278. No milk or cream shall be sold or exposed for sale from any wagon or other conveyance unless it has painted thereon, on both sides thereof in a conspicuous place and in legible Roman letters not less than four inches in height, the name of the milk vender and the permit number of the wagon, and if such vendor or dealer sells skimmed milk the words "Skimmed Milk" shall be painted on said wagon in such manner aforesaid, and all cans and receptacles on wagons containing such skimmed milk shall be labeled or have painted thereon the words "Skimmed Milk" in plain view of customers and in plain letters no less than one inch in height.

SEC. 279. All persons, firms or corporations who own or keep a dairy in the City of Findlay, Ohio, or who send milk to said City, shall maintain their premises free from any accumulation of refuse matter or offal, which shall be removed frequently so as not to endanger the public health or cleanliness of the cows.

SEC. 280. No person shall bring into the City for sale, or shall sell or offer for sale any milk:

- (a) Containing more than "88 per cent of water or fluids.

- (b) Containing less than "12 per cent of milk solids.
- (c) Containing less than three (3) per cent of fats.
- (d) From which part of the cream has been removed.
- (e) Having a specific gravity of less than ten and twenty-nine hundredths (10.29).
- (f) Containing any boracic or salicylic acid, formaldehyde or other foreign chemicals.
- (g) Containing any pathogenic bacteria.
- (h) Containing bacteria of any kind, more than five hundred thousand (500,000) per cubic centimeter.
- (i) Drawn from any cow having a communicable disease.
- (j) Drawn from any cow within fifteen (15) days before or six (6) days after parturition.
- (k) Drawn from any cow which has been fed on refuse, swill, moist distillery waste, or other improper food.
- (l) Drawn from any cow kept in any place where water, food, ventilation or other surroundings have rendered said cow unhealthy or her milk unwholesome.
- (m) Having a temperature or which has been kept at a temperature higher than sixty (60) degrees Fahrenheit.

SEC. 281. The stables shall be so constructed that the cows have plenty of air, space and light. The urine and manure shall be moved from the stable before each milking; the bedding shall be kept sweet and clean, and the food and water shall be ample and well chosen. No dairyman shall feed his cows on swill, garbage or other like substances. If malt or beet pulp is used, it must not be fed when sour. The surroundings of the stable must be kept in a sanitary condition: Cows must not be allowed to stand in manure and filth.

SEC. 282. Before milking, the cow's udders and teats must be cleaned of all filth and foreign matter. The milking must be done into thoroughly clean receptacles, which must be sterilized before use, in some sufficient manner, as by boiling water or steam, if they are regularly used for, or have previously contained milk. The milkers and others handling the milk must be personally clean, so that in their necessary handling of the udders, and of the milk and receptacles, the same will not in any manner become contaminated or in contact with any filth, dust or other foreign substance. No one shall milk, or in any manner handle the milk, when either in themselves, or their families, there is even a suspicion of any contagious or infectious disease such as smallpox, scarlet fever, diphtheria, typhoid fever or tuberculosis.

SEC. 283. Immediately after milking, the milk shall be removed from the stable into a clean, wholesome place, screened from flies and other insects; said milk shall be aerated and cooled to at least sixty degrees temperature and put into perfectly clean bottles or cans. Said milk room shall at all times be kept in a clean and sanitary condition. Dairy men who use both bottles and cans in delivering milk shall not fill bottles on their delivery route.

SEC. 284. All cans or bottles used in the distribution of milk must be thoroughly cleaned, either by hot water and soda or other alkalies, rinsed and sterilized by boiling water or steam before they are again

used as receptacles for milk. Extreme care must be exercised in cleaning the faucets to cans used, by brush or other proper method.

SEC. 285. No person having an infectious or contagious disease, such as cholera, small pox, whooping cough, typhoid fever, typhus fever, scarlet fever, or consumption (*phthisis pulmonalis*) or having recently been in contact with such persons, shall milk cows or handle cows, bottles, dippers, measures or other vessels used for milk or cream intended for sale, unless all danger of communicating such diseases to other persons shall have passed, and no milk or cream shall be sold or dispensed for use as food from any house, shop, or other place in which there is a case of infectious disease as aforesaid, until all danger of contagion therefrom has been removed, and permission in writing is obtained from the Board of Health authorizing the sale of milk or cream in said house, shop or other place. Whenever a case of infectious disease as aforesaid is found in any building or place from which milk or cream is sold or disposed of for food, or from any wagon, or conveyance of any kind which is used to distribute milk or cream for food, the Board of Health shall forthwith cause to be seized and destroyed all of said milk or cream found upon said premises, and it shall be unlawful for any person or persons, firm or corporation to sell or dispose of any milk or cream from said premises, or in any manner whatsoever until all danger of contagion from said diseases or either of them, has been removed, and permission in writing is obtained from the Board of Health authorizing the sale of milk or cream from said place or premises.

SEC. 286. All grocers, bakers and other persons having or offering for sale, milk or cream shall at all times keep the name or names of the dairy men from whom the milk was obtained, posted in a conspicuous place.

SEC. 287. The Board of Health shall have the power to open, or cause to be opened any can, vessel, package or receptacle containing milk or cream to be sold in the City, whether sealed, locked or otherwise, or whether in transit or otherwise, and if on inspection, said milk or cream is found to be filthy, or the cans or containers to be in an unclean condition, said Board may then and there condemn said milk or cream so deemed by it to be filthy or unfit for food purposes and render such milk or cream unfit for food purposes. It shall be the duty of said Board to make or cause to be made in a book provided for that purpose a written entry that it has examined, condemned and rendered unfit for food purposes such milk or cream.

SEC. 288. It shall be the duty of the Board of Health to keep a complete record of its proceedings, give a full account of all inspections of milk or cream made or caused to be made by it, including the name of such person, firm or corporation, owning or claiming to own the milk so inspected, together with their place of business or residence, or the railroad station used for shipment or delivery thereof, and the analysis in all such cases.

SEC. 289. No cream shall be sold, offered for sale or exchanged, delivered, transported or carried for the purpose of sale, offering for sale, exchange or delivery, or that is taken from impure, diseased, unhealthy, unclean, adulterated or unwholesome milk, or milk from cows

fed on refuse or slops from vinegar factories or other similar slops, mash or refuse, or any other than good and wholesome food.

SEC. 290. All milk and cream from sick or diseased cows, or cows fed on refuse or slops from vinegar factories, or any similar slops mash, or refuse, or that is dangerous, or that may effect or be detrimental to life or health, shall, upon discovery thereof by test made or by analysis thereof, or otherwise be confiscated, forfeited and immediately destroyed by or under the direction of the Board of Health, who shall, if done in good faith, be held harmless therefor, in any suit or demand made.

SEC. 291. No person or persons, firm or corporation, shall keep or have in his or her possession any slops or refuse of any distillery or vinegar factory, or any similar slops, mash or refuse for the purpose of feeding the same to any milch cow or cows.

SEC. 292. That any person or persons firm or corporation vending milk in the City of Findlay, Ohio, and issuing to purchasers thereof tickets representing quantities of milk or money value, is hereby forbidden to furnish or issue to such purchasers tickets of such kind that they may be taken up and re-issued.

SEC. 293. The terms, provisions, requirements and conditions of this body of rules and regulations of the Board of Health shall not be deemed or construed as applying to or affecting in any manner any person or persons owning, controlling or having the custody or possession of but one cow unless kept for dairy purposes.

SEC. 294. All rules or regulations of the Board of Health in conflict with the provisions of the foregoing rules and regulations be and the same are hereby repealed.

SEC. 295. Any person or persons, firm or corporation, or the manager or agent thereof, who shall violate any of the provisions of Sections 221 to 295 inclusive shall, upon conviction thereof, for the first offense, be fined in any sum not less than Ten Dollars and not more than One Hundred Dollars and for a second or subsequent offense be fined not less than Fifty Dollars nor more than Three Hundred Dollars or imprisonment in the work house not less than thirty days nor more than ninety days.

SEC. 296. That from and after the first day of October, 1903 it shall be unlawful to maintain or use any vault, cess-pool or other like receptacle in or upon any of the lots and lands within the territory of the City of Findlay, Ohio, bounded as follows: On the South by Lincoln street, on the North by C. F. & N. Railway, on the East by the first alley east of the Main street, and on the West by Broadway and the first alley west of Main street.

That no house, sewer, drain or waste pipe from any building or premises, within the said district, shall be discharged into any cess-pool, vault or other like receptacle, but shall be connected with and discharged into a sanitary sewer.

Provided that all houses and premises within the said district not adjacent to a sanitary sewer with which the same may be connected, shall not be subject to the provisions of this ordinance, until Thirty (30) Days after the construction and completion of such sanitary sewer.

SEC. 297. That any person or persons violating any of the pro-

visions of section 296 shall be fined in a sum not exceeding \$100.00 and not less than \$10.00 and it is hereby made the duty of the Board of Health to enforce the provisions of this ordinance.—*Vol. C, Page 314.*

SEC. 298. That the use of vaults or cess-pools in or upon any lot or parcel of land within the following described district, to-wit: beginning at the north side of Allen avenue, thence running east to the first alley east of Main street, thence running south to the south side of Third street, thence running west to the first alley west of Main street, thence running north to a point where said line intersects with the north line of Allen avenue extended, thence running east to the place of beginning, is hereby declared to be a nuisance and their discontinuance is hereby ordered.

SEC. 299. That the owner, lessee or person having control of the respective lots and lands within said district shall cause connections to be made therewith to the nearest sanitary sewer within thirty (30) days after being ordered so to do.

SEC. 300. That the Board of Health of the City of Findlay, Ohio, shall as soon as this ordinance becomes effective, forthwith notify in writing each person, firm or corporation affected by its provisions to comply with its requirements.

SEC. 301. That any violation of the terms and provisions of Sections 298 to 300 inclusive, of this ordinance shall be punishable by a fine of not less than Twenty-five (\$25.00) Dollars, nor more than One Hundred Dollars (\$100.00), and each day's failure to comply with the provisions hereof shall constitute a separate offense.—*Vol. D, Page 365.*

CHAPTER XXV.

SALOONS.

- SECTION 302 To be closed in night season.
- SECTION 303 Limitation.
- SECTION 304 To be closed on Sunday.
- SECTION 305 Screens to be taken down.
- SECTION 306 Penalty.
- SECTION 307 Not to be kept near schools or college.
- SECTION 308 Penalty.
- SECTION 309 Not to employ female waitresses.
- SECTION 310 Females not to be employed.
- SECTION 311 Penalty.
- SECTION 312 Penalty.
- SECTION 313 Shows prohibited in.
- SECTION 314 Wine rooms not to be attached to.
- SECTION 315 Penalty.
- SECTION 316 Not to sell to persons in the habit of getting intoxicated.
- SECTION 317 Not to furnish to persons in the habit of getting intoxicated.
- SECTION 318 Security for costs not required.

SEC. 302. All ale, beer and porter houses and all other places in said City where intoxicating liquors are sold at retail for any purpose or in any quantity shall be closed at ten o'clock p. m. and remain and be kept closed from that hour and during the night season and until six o'clock a. m. of the next day, and it is hereby declared to be unlawful for any of the places aforesaid within said City to be kept open after said hour of ten o'clock p. m. or before the hour of six o'clock a. m. of any day and any person being the owner, keeper or proprietor, clerk or employee or, or in any of the places aforesaid who shall violate or cause to be violated the provisions of this ordinance or who shall open for the purpose of business or keep open any of the places aforesaid after ten o'clock p. m. or before six o'clock a. m. of any day shall upon conviction thereof be fined in any sum not less than Ten Dollars nor more than Fifty Dollars for each offence.

SEC. 303. The provisions of this ordinance shall not apply or be construed as applying to or affecting places where intoxicating liquors are sold or sales made upon prescriptions issued in good faith by reputable physicians in active practice or for exclusively known mechanical pharmaceutical or sacramental purposes, or to the sale of such liquors by the manufacturers out of the raw material in quantities of one gallon or more, at any one time, as provided by the General Code of Ohio.—*Vol. B, Page 233.*

SEC. 304. That it shall be unlawful for any person on the first day of the week commonly known as Sunday, to sell, or give away or expose for sale any intoxicating liquors, whether distilled, mault or vinous or to keep open or allow to remain open in any manner whatever within the limits of said City of Findlay, any room, booth, arbor shop, house, cellar or place where ale, porter beer or other intoxicating liquors are on other days sold at retail or exposed for sale at retail, and all such places shall on that day be closed except regular drug stores, and this section shall apply to any place where such liquors are sold, or exposed for sale as aforesaid, for any purpose otherwise than upon prescription issued in good faith by reputable physicians in active practice or for exclusively known mechanical pharmaceutical or sacramental purposes, but shall not include the manufacture of intoxicating liquors from the raw material, nor the sale thereof at the manufactory by the manufacturer of the same in quantities of one gallon or more at any one time, and that in regular hotels and eating houses the word "place" herein used shall be held to mean the room, or part of room, where such liquors are usually sold or exposed for sale, and the keeping of such room or part of room, securely closed, shall be held as to such hotels and eating houses as a closing of the place within the meaning of this section.

SEC. 305. That all screens, blinds, curtains, paint and other devices used by any keeper or proprietor of any room, booth, arbor shop, cellar house or place in said City where ale, porter beer and other intoxicating liquors are sold or exposed for sale, as defined and limited in Section 304 to hide, conceal or cover from public view the buying, selling or drinking at such room, booth arbor, shop, house, cellar or place of any ale, porter, beer or other intoxicating liquors shall by the keeper or proprietor thereof be taken down and removed on or before

ten o'clock p. m. of each and every day and keep the same so removed until six o'clock a. m. of the next succeeding day and in like manner to keep the same removed on Sundays and every other day or parts of days which by law or ordinance such places of business are required to be closed, so an unobstructed view can be had of the inside of such room, booth, arbor, shop, house, cellar, or place aforesaid between the hours and during said days or parts thereof aforesaid.

SEC. 306. That whoever shall violate any of the provisions of Section 304 shall upon conviction thereof be fined in any sum not exceeding One Hundred Dollars and not less than Twenty-five Dollars and be imprisoned in the County Jail or City Prison not less than ten days and not exceeding thirty days.

And whoever shall violate Section 305 shall upon conviction thereof be fined not less than Five Dollars and not more than Twenty-five Dollars.—*Vol. B, Page 272.*

SEC. 307. That it shall be unlawful for any person to keep any ale, beer or porter, house or other place where intoxicating liquors are sold at retail for any purpose or in any quantity other than is provided for in the act of the General Assembly of the State of Ohio entitled "An Act providing against the evils resulting from the traffic in intoxicating liquors" as amended March 21st, 1887, within two hundred and eighty (280) feet of the front boundary line or front corners of any public school ground or College ground within said City.

SEC. 308. Whoever shall violate the provisions of Section 307 shall upon conviction thereof be fined in any sum not less than Ten Dollars nor more than Fifty Dollars or imprisoned not less than ten nor more than thirty days or both at the discretion of the Court.—*Vol. B, Page 112.*

SEC. 309. That it shall be unlawful for any keeper or proprietor of any saloon or restaurant or room or place wherein ale, beer, porter wine or liquors are sold to employ any girl or girls, woman or women, other than the wife of said keeper or proprietor in the said saloon or restaurant, in the waiting on customers or the furnishing to customers of ale, or beer, porter wine, liquors or any article of any kind whatsoever therein sold or to perform any service whatsoever either with or without compensation in said room or place where said ale, beer, porter, wine or liquors and other articles are sold and kept for sale.

SEC. 310. That it shall be unlawful for any girl or girls, woman or women to be employed or to render service of any description whatsoever, either with or without compensation in any ale, or porter house or in any room or place in which ale, beer, porter, wine, or other liquors are sold or kept for sale; provided that this ordinance shall not prohibit any proprietor of any such place or places from employing his wife in his assistance in such place or places.

SEC. 311. That every person employing any girl or girls, woman or women or permitting or suffering any girl or girls, woman or women to render services with or without compensation in such place or places, contrary to the provisions of Sections 309 and 310 and shall upon conviction thereof be fined in any sum not less than five dollars and not more than Fifty Dollars for every day such person or persons

shall be so employed, permitted or suffered to so render service in violation of this ordinance.

SEC. 312. That every girl or woman who shall be employed in such place or places or who shall render service therein contrary to the provisions of this ordinance shall upon conviction thereof be fined in any sum not exceeding Fifty Dollars.—*Vol. B, Page 99.*

SEC. 313. That it shall be unlawful for any person or persons to give, permit or suffer to be given any public show, concert or public entertainment of any kind, in any room, saloon or place of public resort where ale, beer, porter, wine or intoxicating liquors of any kind are kept for sale, or sold to be drank in, upon or about the premises. Any person violating the provisions of this ordinance, shall, upon conviction thereof, be fined in any sum not less than Five nor more than Twenty-five Dollars for each offence; and the Mayor shall not grant license to any person for any public exhibitions or entertainments of any kind to be given in any of the places aforesaid.—*Vol. A, Page 334.*

SEC. 314. That it shall be unlawful for the owner or owners, keeper or keepers of any tavern, eating house, saloon, restaurant or any room or place of public resort where ale, beer, porter, wines or liquors are sold or kept for sale to have attached thereto or connected therewith any wine room, booth, stall or place where women or girls may resort for the purpose of drinking ale, beer, porter, wines or liquors or any mixtures thereof.

SEC. 315. Whoever violates the provisions of Sections 312 and 314 shall upon conviction thereof be fined in any sum not to exceed Fifty Dollars nor less than Twenty Dollars for the first offence and for repetition of such offence in any sum not exceeding One Hundred Dollars or be imprisoned in the work house not more than Thirty days or both.—*Vol. C, Page 210.*

SEC. 316. Whosoever sells to a person who is intoxicated, or in the habit of becoming intoxicated any intoxicating liquors, unless the same is given by a physician in the regular line of his practice, shall be fined not less than Ten Dollars and not more than Fifty Dollars.

SEC. 317. Whosoever buys for or furnishes to a person who is intoxicated or in the habit of becoming intoxicated, any intoxicating liquor, unless given by a physician in the regular line of his practice, shall be fined not less than ten dollars nor more than Fifty Dollars.

SEC. 318. In prosecutions under this ordinance, no security for costs shall be required from any complainant, who is wife, mother or sister to the person to whom such sales of intoxicating liquor is charged to have been made, except for costs made for witnesses on her precipe in excess of two.—*Vol. C, Page 322.*

CHAPTER XXVI.

SEWERS.

- SECTION 319 Sewer District No. 1.
SECTION 320 Sewer District No. 2.
SECTION 321 Subdivision of District No. 2.

SECTION 322	Connection with sewer requires consent of Engineer.
SECTION 323	Permits of Engineer.
SECTION 324	Application for permits.
SECTION 325	Notice to be given Engineer for opening street.
SECTION 326	Notice to be given Engineer before connection.
SECTION 327	Notice before extension can be made.
SECTION 328	How new junction made.
SECTION 329	Water and Gas pipes in way of.
SECTION 330	Connection to be under supervision of Engineer.
SECTION 331	Excavation—regulations as to.
SECTION 332	Openings and obstructions to be guarded.
SECTION 333	Size of connection.
SECTION 334	Catch basins—when required, etc.
SECTION 335	Ends of pipes to be guarded.
SECTION 336	Material.
SECTION 337	Inside of sewer to be left smooth.
SECTION 338	Back filling—how done.
SECTION 339	Draws where public sewers not laid.
SECTION 340	Penalty.
SECTION 341	Fixtures for slop connections.
SECTION 342	Permits to be returned.

SEC. 319. That the following territory within said City, including lots, lands, streets, alleys and highways therein, be and the same hereby is established into a sewer district of said City, to be known and designated as Sewer District number one, the same having been devised by the Board of Improvements of said City and deemed necessary by the Council thereof, as part of the sewer system of said City, and necessary to its proper and efficient drainage and sewerage bounded as follows: Commencing at the quarter post between section twelve and thirteen in town one, north, range ten east in Findlay, Hancock County, Ohio; thence running north to the center of first alley north of Howard street, thence east to the center of first alley north of Bolton street; thence north to the center of the first alley north of Frazer street; thence east to the center of the first alley west of Morey avenue; thence north to the center of the first alley north of College street; thence east to the center of the first alley east of Morey avenue; thence north to the center of the first alley north of Davis avenue; thence east to the center of Cory street; thence north to the center of first alley north of Midland avenue; thence east to the center of Main street; thence north to the center of the first alley north of Allen avenue; thence east to the center of the fourth alley east of the T. & O. C. Ry.; thence north to the east and west one-half section line of Section 7 T. 1, N. R. 11 east; thence east to the center of the first alley west of Carpenter avenue; thence north to the line between Sections 6 and 7 T. 1, N. R. 11 E.; thence east to the northeast corner of the W. 1-2, N. W. 1-4 of Sec. 8, T. 1, N. R. 11 E.; thence south on subdivision line to the north line of the Lake Erie and Western Ry.; thence southwestwardly on the north boundary line of the L. E. & W. Ry., to the line between section 7 and 8 said T. 1, N. R., 11 E.; thence south to the center of the first alley

north of Tiffin avenue; thence southwestwardly along the first alley north of Tiffin avenue to and intersecting street and alleys to Prospect street; thence west to the east line of the T., & O. C. Ry.; thence southwardly along said T., & O. C. Ry. to the first alley north of Walnut street; thence west along the first alley north of Walnut street and south of Corwin street to center of first alley west of Main street; thence south to the center line of High street; thence west to the west line of W. Vance's Addition to Findlay; thence north to the first alley north of High street; thence east to the west line of the first alley west of Cory street; thence north to a point 172.9 feet south of Defiance avenue; thence northwestwardly 150 feet distance from and parallel with Defiance avenue to Bolton street; thence north to place of beginning.—*Printed Vol., Page 128.*

SEC. 320. That the following territory within the said City including the lots, lands, streets, alleys and highways therein be and the same hereby is established into a sewer district of said City to be known and designated as Sewer District number Two, the same having been devised by the Board of Improvements of said City and deemed necessary by the Council thereof as a part of the sewer system of the said City, and necessary to its proper and efficient drainage and sewerage to-wit: Commencing at a point on the section line between section 17 and 18 in township 1, north range 11, east of the first principal meridian of Ohio where said section line crosses the middle of the Blanchard River, running thence south on said section line to the southeast corner of said section 18, thence continuing south on the section line between sections 19 and 20 in said township to the middle of Blanchard avenue, thence northwestwardly in the middle of Blanchard avenue to Fremont avenue, thence south on Fremont avenue to the middle of Second street, thence west in the middle of Second street to the middle of Alban avenue, thence south in the middle of Alban avenue to the center line of the Findlay Ft. Wayne & Western Ry., thence west along the center line of said railway to the half section line running north and south through sections 24 and 25 in township 1 north range 10 east, thence north on said half section line to the middle of Weatherhead avenue, thence west in the middle of Weatherhead avenue, to the middle of Eighth street; thence north in the middle of Eighth street to the middle of Lima street; thence west in the middle of Lima street to the middle of Glessner avenue; thence north in the middle of Glessner avenue to the middle of Main Cross street, thence continuing north to the half section line running east and west through section 13 in said township 1 north range 10 east, thence east on said half section line to the middle of the Blanchard River, thence up the middle line of said River to the place of beginning.

SEC. 321. The said sewer district number two shall be sub-divided as follows: first Sub-sewer District number 1 beginning at the middle of Main street where the same crosses the middle of the Blanchard River, thence south in the middle of Main street to the middle of the first alley north of Hancock street, thence east on a line parallel to the north line of Hancock street and 208 feet north therefrom to the middle of Eagle Creek, thence down the middle of the said stream to the mid-

dle of Blanchard River; thence in the middle of said river down stream to the place of beginning.

Secondly, Sub-sewer district number 2 beginning in the middle of Main street where the same crosses the middle of the Blanchard River, thence south in the middle of said street to the south boundary line of sewer district number 2, thence west on said boundary line of sewer district number 2 to a point 200 feet west of the west line of Hurd avenue as projected, thence north to the southwest corner of out lot number 142 in Byals' Addition, thence west in the middle of Factory street, thence north in the middle of Factory street to the middle of the first alley south of Lima avenue, thence west to a point 200 feet west of the west line of Factory street, thence north parallel with Factory street, and 200 feet west therefrom to the first alley south of Main Cross street, thence westwardly in the middle of said alley to the middle of the alley opposite Shinkle street, thence north to the middle of Main Cross street, thence westwardly in the middle of West Main Cross street to the first alley west of Shinkle street, thence north in said alley to the first alley north of Main Cross street, thence westwardly in said alley to Marshal street, thence continuing westwardly in the first alley north of Main Cross street to the first alley west of Marshal street, thence north to the first alley north of Washington street, thence east to the first alley west of Shinkle street, thence north to the middle of Blanchard River, thence up stream in the middle of said river to the place of beginning.

Thirdly: Sub-sewer district number 3 comprising all that territory of sewer district number 2 lying south of sub-sewer district number 1 and east of sub-sewer district number 2 and west of the middle of Eagle Creek.

Fourthly: Sub-sewer district number 4 comprising all that territory of sewer district number 2 lying west of sub-sewer district number 2.

Fifthly: Sub-sewer district number 5 comprising all that territory of sewer district number 2 lying east of the middle line of Eagle Creek. —*Vol. C, Page 108.*

SEC. 322. That no connection shall be made with any Public sewer or drain within the City of Findlay, without the written permission of the City Civil Engineer and every connection or opening made into any public sewer or drain without such permission or any manner different from the mode herein prescribed for such opening or connection shall subject the person or persons making the same, and the owner or owners of the premises directing it, to a penalty hereinafter prescribed, and each day that any person shall, without such permission, continue to use the drain into said sewers shall be considered a separate offence.

SEC. 323. That the City Civil Engineer is hereby authorized to grant such permits as he may deem necessary for allowing persons to tap the public sewers and drains and to make connection therewith:

Provided however, that the permit shall be granted on the express condition that the owner or tenant for whose benefit such connection shall be made, and each succeeding tenant shall in consideration of the privileges thereby granted, hold the City of Findlay harmless for any

loss or damage that may in any way result or be occasioned by such trap or connection.

SEC. 324. That all applications for permits must be made in writing by the owner or tenants of the premises for whose benefit the application is made or by his or their authorized agent or attorney and must be accompanied by a deposit of One Dollar as a fee to defray expenses of the supervision of said connection as hereinafter provided, and must state the location, number of lot, number of feet front, name of district, name of owner, the number of buildings to be connected and how occupied, the number of drains required and the water-closets, sinks and other fixtures to be connected with the same, and such application shall be filed in the office of the City Civil Engineer.

SEC. 325. That at least twenty-four hours notice must be given at the Engineer's office before any street or public way can be opened for the purpose of laying a private sewer or drain; no work of laying drains or sewers can be commenced or continued without the permit is on the ground, in the hands of the drain layer or one employed by him.

SEC. 326. That after a permit has been issued, notice in writing must in all cases be left at the office of the City Civil Engineer by the person who is about to make the connection with any sewer or drain, stating the time when such work shall be ready for inspection, previous to making such connection.

SEC. 327. That no drain pipe can be extended from work previously done and accepted or new connection of any kind be made with such work unless previous notice of at least twenty-four hours is given to the City Civil Engineer.

SEC. 328. That in case it shall be necessary to connect a drain or sewer pipe with a public sewer, when no junction is left in the same, the new connection with the public sewer can only be made when the officer of the City is present to see the whole of the work done.

SEC. 329. That in case a water or gas pipe should come in the way of a drain or sewer, the question of passing under or over the same must be determined by one of the officers authorized by the City. In no case can the pipe layer be allowed to decide the question himself.

SEC. 330. That all connections made with the public sewers shall be under the supervision and direction of the City Civil Engineer or the authorized agents of the City.

SEC. 331. That in opening any street or public way all material for paving and ballasting must be removed with the least possible injury or loss of the same, together with the excavated material from the trenches be placed where they will cause the least practical inconvenience to the public. As little as possible of the trench must be dug till the junction piece into the sewer is found, unless it is first determined to make a new opening into the sewer.

Whenever the sides of the trenches will not stand, perpendicular sheeting and bracing must be used to prevent any unnecessary caving, and the sewer plumber must provide himself with the necessary screw braces, sheeting and cribbing material to safely crib up and protect at least fifty feet of trench. In no cases shall the work be done by tunneling, but shall be excavated in the open trenches.

SEC. 332. That the drain layer doing the work or making the con-

nections shall keep all openings or obstructions in streets and alleys carefully guarded and barricaded at all times, and during the night shall be indicated by colored lights, and such other precautions shall be taken as shall be necessary to guard the public against accidents and the owner and tenant of the property where the work is done are hereby required to see that this rule is complied with. At all times the work shall be done so as to cause the least inconvenience to property owners and the general public.

SEC. 333. That no drain from any house, store or tenement whatever, shall be connected with any public sewer in the City otherwise than by drain or sewer pipes which shall be not less than four inches and not more than six inches in diameter except it may in special cases be otherwise ordered by the City Civil Engineer. The pipe shall be laid on an even grade of not less than $\frac{1}{2}$ inch to two feet unless provision is made for regular and efficient flushing.

SEC. 334. That all pipes that must be left open to drain foundations, areas, yards, or gardens, and all pipes that connect with privies must be connected with suitable catch basins, the bottoms of which must be at least two and one half feet below the bottoms of the outlet. And the outlet and the form, dimensions and materials of which are to be prescribed by the City Civil Engineer or his assistant, and the owners of the property upon which such catch basins are erected will be required to keep the same in clean and good order. All water pipes from cisterns shall be trapped with such covered trap pipe as shall be prescribed by the City Civil Engineer.

SEC. 335. That the ends of all pipes not to be immediately connected with water closets, sinks, down spouts, or catch basins, are to be securely guarded against the introduction of sand or earth, by brick or cement or other water tight or impenetrable materials. No private catch basins can be built in the public street or highways, but must be placed inside the line of the lot to be drained, except when the sidewalks are excavated and used as cellars. No privy vault can be connected with the public sewers unless a sufficient supply of water is introduced from City water works mains or other water supply in connection therewith to carry off all deposits.

SEC. 336. That the material to be used in the construction of all private drains or sewers shall be hard burned salt glazed sewer pipe straight and perfect in form, free from flaws, cracks or blisters and thoroughly salt glazed. Cast iron pipes with leaded joints or galvanized iron pipes with crew joints may be used. The decision as to kind to be used shall be made by the City Civil Engineer, and no material shall be used in any private drain or sewer until previously approved by the City Civil Engineer or his assistant. All joints of vitrified sewer pipe shall be made with oakum gaskets and Portland Hydraulic Cement, one part cement to two parts clean sharp sand.

SEC. 337. That the inside of every drain pipe after it has been laid must be left smooth and perfectly clean throughout its entire length. The first pipe from the main sewer shall be laid in the alightment of the junction piece and where the junction piece or branch is intended for two lots, the first joint laid must be a "Y" branch.

SEC. 338. That the back filling over drains or sewers after they are laid must be puddled, and together with the replacing of ballast and paving must be done within forty-eight hours after the completion of that part of the drain or sewer lying within the public highway, and done so as to make them at least as good as they were before they were disturbed. If new paving brick or other material are required they must be furnished by the property owner. All water pipes and gas pipes must be protected from settlement or injury to the satisfaction of the City Civil Engineer and the water or gas works superintendent. Drain pipes in actual use, must not be disturbed unnecessarily, and must not be permanently obstructed, injured or left disconnected and the work must be done in a good and workmanlike manner, satisfactory to the owners and City Engineer.

SEC. 339. That all drains or sewers laid within the City limits in and from houses or streets where no public sewers are yet laid must be done according to the above regulations, in every particular, and the owner or agent of the property must procure a permit from the City Engineer to connect the same with the public sewer or drain so soon as the same may be built past the property from which said drain is laid; such information as the City has in regard to the position of junctions will be furnished to the drain layers but at the risk of the drain layers as to the accuracy of the same. When any change of location is made in the pipe either in a horizontal or vertical direction, curves must be used. No pipes shall be clipped in any case.

SEC. 340. That no connection with or opening into, any sewer constructed by order of the City, shall be made excepting as herein provided for, and any person or persons who shall make or permit or cause to be made a connection with such sewers in a manner contrary to the provisions of this ordinance shall upon conviction thereof be fined in any sum not less than One Dollar nor more than Fifty Dollars and shall incur a further penalty of five dollars for each day that such forbidden connection shall continue, after notice from the City Engineer to remove the same; and any person who shall fail to remove any private drain connecting with any public sewer in the City of Findlay which is constructed contrary to the provisions of this ordinance within ten days after being notified by the City Engineer that the same is unlawfully made shall upon conviction thereof be fined in any sum not less than One Dollar nor more than Five Dollars for each day thereafter that such forbidden connection shall continue.

SEC. 341. That it shall be unlawful for any person in possession of premises into which a pipe or other connection with the public sewer and drains has been laid, for the purpose of carrying off animal refuse from privies or water closets, slops from kitchens, or other purpose, to allow the same to remain without good and perfect fixtures so attached as to allow a sufficiency of water to be so applied as to properly carry off such matter and to keep the same unobstructed.

SEC. 342. That all permits issued as hereinbefore provided and not used in the specified time, shall immediately return the same to the office of the City Engineer.--*Vol B, Page 352.*

CHAPTER XXVII.*STREETS AND SIDEWALKS.*

- SECTION 343 Not to obstruct with cars, etc.
 SECTION 344 Penalty.
 SECTION 345 Not to feed animals on Broadway.
 SECTION 346 Penalty.
 SECTION 347 Fast Riding prohibited.
 SECTION 348 Penalty.
 SECTION 349 Sidewalks must not be obstructed by merchandise,
 etc.
 SECTION 350 Temporary obstructions.
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 SECTION 352 Sidewalks to be kept in repair and free from
 nuisance.
 SECTION 353 Not to drop rubbish, etc. from wagon on streets to
 sidewalks.
 SECTION 354 Penalty.
 SECTION 355 Vehicles and animals not to be driven over side-
 walks.
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 SECTION 358 Relating to excavations in paved streets.
 SECTION 359 Street excavations—permit required.
 SECTION 360 Deposit covering same—Bond required—How con-
 ditioned.
 SECTION 361 Excavations—How guarded.
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 how filled.
 SECTION 363 Permit—Officer may demand exhibit of same.
 SECTION 364 Exceptions—Who need not obtain permit.
 SECTION 365 Money for permit—How deposited and used.
 SECTION 366 Paving of streets—
 (a) Clerk's duty to notify resident owners of
 abutting property and owners of franchises.
 (b) Clerk's return.
 (c) Non-resident owners—publication.
 (d) Time within which pipes and conduits shall
 be laid.
 SECTION 367 Streets not to be disturbed thereafter for 3 years.
 SECTION 368 Removal of earth, sand, gravel, etc. from street pro-
 hibited—Destruction of sidewalks prohibited.
 SECTION 369 Penalty.

SEC. 343. That it shall be unlawful for any person, persons or corporation to permit any car of which he has charge to remain upon or within thirty (30) feet of the Center or across any street or alley of said City for a period longer than five minutes or to place any timber or other obstruction upon or across any such street or alley to the hinderance or inconvenience of travel thereon.

SEC. 344. That any person violating any of the provisions of section 343 shall be fined in any sum not less than Five Dollars nor more than Twenty Dollars.—*Vol. B, Page 74.*

SEC. 345. That it shall be unlawful for any person to feed or cause to be fed any horse, mule, ox, cow, hog or other animal upon the public street known as Broadway in said City or to so hitch any animal aforesaid to any wagon or other vehicle for said purpose or so that the same can be fed therefrom.

SEC. 346. That whoever shall violate any of the provisions of section 345 of this ordinance shall upon conviction thereof be fined in any sum not less than One Dollar and not more than Five Dollars.—*Vol. B, Page 229.*

SEC. 347. That it shall be unlawful for any person or persons to run, race or drive, or cause or assist in so doing, any horse or horses or other animal or animals or bicycle upon or along any of the streets, avenues, alleys, public highways or grounds in said City, or to ride or drive any horse or horses, or other animal or animals or bicycles upon or along any of the public ways or places aforesaid, in such a manner as to endanger or unreasonably discommode any persons or persons or to interfere in the free and proper use of said public ways and places aforesaid; or in any event, at a rate of speed exceeding eight (8) miles per hour.

SEC. 348. Any person who shall violate any or either of the provisions of the preceding section shall, upon conviction thereof, be fined in any sum not less than Five (\$5.00) Dollars nor more than Twenty-five (\$25.00) Dollars for each and every offence.—*Vol. D, Page 192; Vol. C, Page 181.*

SEC. 349. That it shall be unlawful for any person to place or set for exhibition, any goods, wares or merchandise, on any of the sidewalks of said City, to obstruct the free public use of said street, alley, sidewalk or public places, in front of any place of business, store or building, except within three feet of and directly in front of any such store or building where there is a sidewalk constructed in with from the property line to the curb; and no goods, wares or merchandise shall be allowed to remain on any sidewalk between the curb and three feet of the store or building as aforesaid except while receiving or delivering such goods, wares or merchandise, and for such purposes, the part of the sidewalk next to the curb line, not exceeding four feet in width, and in front only of such store or building, may be used for the space of two hours at any one time, but no longer, provided that nothing in this ordinance shall be construed to grant any property right or privilege in any of the streets or sidewalks of the City, not revocable by action of the Council.

Any person who shall have a license or permit issued under the authority of any ordinance of this City, by virtue of such license or permit such person shall keep or maintain any peanut stand, fruit or candy stand or huckster stand shall not be deemed guilty of any violation of this ordinance.

SEC. 350. The mayor may grant permits to persons engaged in the actual erection of any building to place building material for such build-

ing on the streets, alleys and public places adjacent to place where such building is being erected, under such reasonable restriction as shall prevent any unnecessary obstruction to public travel over such street, alley and public place, for such time as the mayor may deem necessary, for the purpose of completing such building, and the holding of such permit and the complying with the conditions thereof, shall not be deemed as violating this ordinance.

SEC. 351. Any person or persons who shall be guilty of any violation of section 349 and 350 of this ordinance shall be fined in any sum not less than One Dollar nor more than Ten Dollars.—*Vol. B, Page 389.*

SEC. 352. That the owners and occupants of abutting lots and lands in the City of Findlay, shall keep the sidewalk in front of and along their respective lots in good repair and free from snow and from filth, mud or any nuisance. Any one violating the provisions of this ordinance or failing to keep his or her sidewalks in repair and free from snow and filth that is any nuisance, shall, upon conviction thereof, be fined in any sum not less than One nor more than Twenty-five Dollars, and it shall be the duty of the Chief of Police and Street Commissioner to report to the mayor all violations and disregard of this ordinance.—*Printed Ordinance, Page 120.*

SEC. 353. That it shall be unlawful for any person or persons to cast or let drop or fall from any wagon, cart, dray or other vehicles, or cause the same to be done, or in any other way cast or lay or cause to be cast or laid upon any street, alley, sidewalk, or public grounds any shavings, chips, straw, paper, shells, cinders, glass, mud, dung, filth, manure, rubbish. earth, sand, gravel, brick, stones, dirt, or any other annoyance or obstruction except as may be authorized by ordinance, or by the Street Commissioner or by the City Civil Engineer.

SEC. 354. That whoever violates any of the provisions of section 353 of this ordinance shall upon conviction thereof be fined in any sum not less than One Dollar and not more than Ten Dollars and for each and every day after such conviction, said person or persons shall suffer any of the materials or other things mentioned in section 353 to remain upon any street, alley, sidewalk or public ground, shall be deemed guilty of a separate offence under this ordinance.—*Vol. B, Page 86.*

SEC. 355. That it shall be unlawful for any person to lead, push, ride, drive, haul, draw or back any horse or other beast of burden, or any cart, wagon, dray, sleigh, fire engine, horse carriage, bicycle or other vehicle (except childrens' hand carriages drawn by hand and bicycles not mounted) over or upon any sidewalks or suffer the same to stand thereon, unless it be to cross the same for the purpose of entering some lot or yard.

SEC. 356. That whoever shall violate in any way any of the provisions of section 355 shall upon conviction thereof be fined in any sum not less than One Dollar nor more than Five Dollars for each and every offence.—*Vol. B, Page 209.*

SEC. 357. That the owner or occupant of any lot or premises within the City limits of the said City shall remove all snow, ice and dirt from the said walk in front of such lot or premises, and every person failing

to comply with the provisions of this ordinance within twelve hours after any fall of snow, or shall fail to remove any ice or dirt from sidewalk within two hours after being notified by the Sidewalk Inspector of said City, shall be deemed guilty of an offence and on conviction thereof shall be fined in any sum not less than fifty cents nor more than Five Dollars and costs of prosecution.—*Vol. A, Page 153.*

SEC. 358. No person, partnership or corporation shall open up or break into the streets, avenues, alleys or public ways of the City of Findlay, Ohio, for the purpose of connecting with water, gas, or heating pipes, or with the sewers, drains or ditches, or for any other purpose whatsoever, until such person, partnership or corporation shall have first obtained permission in writing to do so from the Director of Public Service of said City.

SEC. 359. It shall be unlawful for any person, partnership or corporation to break into, open up or disturb the pavement of any paved street, avenue, alley or public way of the City of Findlay, Ohio, until such person, partnership or corporation so desiring to open up or break into the pavement of such street, avenue, alley or public way of said City shall have first deposited with the Director of Public Service of said City, a sum of money to pay for the replacing and repairing of such pavement by said Director of Public Service, based on the following schedule of prices per square yard of surface of pavement opened or disturbed.

First. For streets or other public ways paved with brick, stone or asphaltum or other block on a sand foundation Two (\$2.00) Dollars per square yard.

Second. For all streets and other public ways paved with brick, stone or asphaltum or other block on a concrete foundation, Four (\$4.00) Dollars per square yard.

Third. For all streets and public ways paved with sheet asphaltum or bitulithic pavement, Five Dollars per square yard. And it shall be unlawful to open or disturb a greater area of pavement than that authorized by the permit and for which such deposit has been made.

Should the above required deposits exceed the actual cost of supervision and expense of relaying and repairing such street or public way, then such excess shall be refunded.

SEC. 360. Before any person, partnership or corporation shall be authorized and before such written permit as above provided for, shall be granted to open up or break into the streets, alleys, avenues, or public ways of the City of Findlay, Ohio, there shall first be deposited by the person, partnership or corporation applying for such permit, with the Clerk of the Director of Service a Trust company, responsible Surety company or satisfactory individual bond in the sum of One Thousand Dollars, conditioned to secure and hold harmless the City of Findlay, Ohio, against any and all damages arising from the opening or excavation so made or done in said street, or other public ways of said City, and further conditioned to fill and place in good and safe condition, to the satisfaction of the Director of Service, all openings and excavations so made in said streets, or other public ways of said City; by such bond shall not be held for the replacing or repairing of the pavement which

work shall be done by the Director of Service, as hereinbefore specified. An annual bond may be given under this provision each year conditioned as above as to all openings and excavations made in said streets or other public ways of said City, by the principal in such bond during the term of one year from the said date.

SEC. 361. Every person, partnership or corporation making or having made openings or excavations in the streets or public ways of the City of Findlay, Ohio, shall at all times guard the same with sufficient and suitable guard rails and proper lights for the purpose of warning and protecting persons and animals traveling upon such streets or public ways.

SEC. 362. No excavation or opening made in the streets or other public ways of the City of Findlay, Ohio, shall be permitted to remain open for a longer time than is absolutely necessary to do the work described in the permit granted for such excavation and the person, partnership or corporation making such excavation or opening shall refill the same without delay with such material as the Director of Service shall direct and to the satisfaction of said Director of Service and shall completely fill such opening or excavation to the surface of the pavement and shall put all openings and excavations in a condition safe for public travel upon such street or public ways.

SEC. 363. Any person, partnership or corporation, and the agent of any person, partnership or corporation who shall be engaged in disturbing the pavement of or breaking into or excavating in the streets or other public ways of the City of Findlay, Ohio, shall on demand exhibit to any officer of the City, employee of the Director of Service, any police Officer, the written permit above provided for and the neglect or refusal of any person, partnership or corporation to so exhibit such written permit upon demand so made therefor shall subject such person, partnership or corporation or such agent thereof to the penalties hereinafter provided for.

SEC. 364. The provision of this ordinance as to giving bond as above provided shall not apply to any person, partnership or corporation licensed by said City to make connections with the sewers or drains of the City, or to persons engaged in making public improvements in the streets or other public ways in said City under contract with and thereunto directly authorizezd by said City.

SEC. 365. The sum or sums of money so collected and deposited under the requirements of this ordinance shall be paid into the City Treasury by the Director of Service and deposited to the credit of a special and separate fund to be used and disbursed solely for the purpose of paying for the repairing and replacing of such pavement broken into or disturbed for any of the purposes mentioned herein.

SEC. 366. Whenever the City Council orders the paying or repaving of any of the streets or other public ways of the City of Findlay, Ohio, it shall thereupon be the duty of the Clerk of Council to serve or cause to be served a written notice upon the owner or agent of the owner of each lot or parcel of land fronting or abutting upon such street or other public way who may be a resident of such County in the manner provided by law for the service of summons in a civil action, which notice

shall state that it is the intention of the City Council to improve, as above provided, such street or public way. The Clerk shall in addition thereto notify as above provided all persons, partnerships or corporations having or holding a franchise from said City to use said street or public ways for the purpose of laying any gas, water, or heating pipes, telephone, or telegraph conduits or other thing which might necessitate the tearing up or excavating of said streets or public ways.

A copy of such written notice with the time and manner of service indorsed thereon signed by the Clerk or Officers serving the same, shall be returned and filed in the office of the Director of Service. Said return shall have like force and effect as the Sheriff's return of a summons in a civil action.

If it appear in the return in any case of the notice above provided for, that such owner is a non-resident of the County or that neither any such owner nor agent nor their place of residence could be found in said County, then a notice given by publication of the intention of the Council to improve such street or public way, in some newspaper of general circulation in the City in the manner provided by law for the service by publication of resolutions for street improvements, shall be deemed a sufficient notice to such person, firm or corporation.

Thereupon the person, firm or corporation whose duty it may be shall within thirty days from the service of such notice or the completion of the publication thereof, lay or cause to be laid, in such street or public way, all main pipes and conduits and all service connections therewith to the curb line of said street or public way.

SEC. 367. After the improvement of such street or public way by paving or repaving shall have been completed, then no permit shall be granted or issued by the Director of Service, to any person, firm or corporation to remove or disturb in any manner or for any purpose, other than for the purpose of making necessary repairs to such pipes, lines, or conduits for a period of three years from the date of the completion of said improvement.

SEC. 368. No person shall dig, remove or carry away or cause to be dug, removed or carried away, any stone earth, sand or gravel from any street or other public way of said City or remove, injure, deface or destroy the plank, brick, or pavement of any street, sidewalk, or public way of the City, for any purpose whatsoever unless the same be done under the authority of the City Council.

SEC. 369. Any person, partnership or corporation violating any of the provisions of sections 358 to 367 inclusive shall be deemed guilty of a misdemeanor and shall upon conviction thereof be punished by fine of not less than Five Dollars nor more than Fifty Dollars and costs of prosecution.—*Vol. D, Page 208.*

CHAPTER XXVIII.

STREET RAILWAYS.

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- SECTION 419 Waiting and baggage room required.
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- SECTION 421 Sealed proposals to be received.
- SECTION 422 Route No. 42.
- SECTION 423 Motive power.
- SECTION 424 Grant to be for twenty-five years.
- SECTION 425 Sealed proposals to be received.

SEC. 370. That all Urban or Interurban Railway Companies now or hereinafter operating their cars within the limits of the City of Findlay, shall sprinkle and keep well sprinkled with water all such part of any paved Street or Streets over which they operate their car or cars as is embraced within their right of way on said street or streets. That said Companies shall sprinkle such portion of said street or streets as often per day as is necessary to keep the dust laid thereon.

SEC. 371. Should any of the aforesaid Companies neglect or refuse to sprinkle the portion of the street or streets aforesaid the same may be done by the City, or the City may contract for the same, and the cost thereof shall be certified to the County Auditor for collection, to be paid by said Company or companies as other taxes are paid.—*Vol. D, Page 195.*

SEC. 372. That the Findlay Street Railway Company, its successors and assigns, be and they are hereby required to operate its several street railroads in said City by electricity and change the motive power for propelling its cars from horse power to electricity, the plan for constructing and operating by electricity having been submitted to and received the approval of the Council.

SEC. 373. Said road shall be operated and the cars run by the overhead system of electricity.

The poles used for the wire shall be of cedar, not less than twenty feet high above ground and six feet under ground and securely planted within the curb lines upon both sides of the streets and not less than One Hundred feet apart and opposite each other.

All poles shall be neatly painted; those on Main street shall be octagonal in form and of uniform size.

The work to be commenced on Main street in said City immediately after this ordinance takes effect, and all poles to be planted and the work done and the system constructed to the satisfaction of the City Engineer and Board of Improvements.—*Vol. B, Page 51.*

SEC. 374. That on and after October 1st, 1904, no street car shall be run or operated in the City of Findlay for the use of the public, without a conductor for the purpose of collecting fares and for the better accommodation and protection of the traveling public, and the Motormen on such cars shall not be allowed to collect fares or take any part therein.

SEC. 375. A fine of Ten Dollars per day for each and every car used and operated in violation of Section 374, of this ordinance shall be imposed upon each and every individual company or corporation, for each and every day such individual, company or corporation shall continue to violate its terms.—*Vol. C, Page 433.*

SEC. 376. That the following routes for the construction of street railroads be and the same hereby are established to-wit:

On Main Street from the north to the south corporation line to be known as route No. (1); on West Main Cross street from the east and west corporation line to be known as Route (2); and on Sandusky street from the east to the west corporation line to be known as Route (3); on Lima Street from Main Street west on the Lima road to the corporation line to be known as Route (4); on Center Street to Tiffin Avenue northeasterly along Tiffin street to the corporation line in North Findlay to be known as Route No. (5); on Walnut street and northeast on Crystal avenue to the corporation line to be known as Route No. (6); all rail routes shall converge to the Court House Square in said City, with right to use the tracks of any road leading there to under such proper rules, regulations and restrictions as the Council by ordinance may prescribe.

SEC. 377. Cars upon said routes may operate by horses, mules, cable, electricity, or any other approved system of motive power that may come into general use and as may be provided by special ordinance.

SEC. 378. The tracks of all railways constructed along said routes shall be so laid as not to be above the surface of the streets and with center or side bearing rails in such manner that carriages and other vehicles may easily and freely cross the same at all points and in all directions without obstruction, and shall be laid as nearly in the center of the street as practicable, except where otherwise provided for by ordinance giving special grants.

SEC. 379. All railways constructed upon rail routes or either of them shall be of standard gauge, viz: Four feet eight and a half inches between the inside edges of track. Groved rails may be used on all corners and turnouts and be constructed of best materials.

SEC. 380. Any person, firm or corporation to whom shall be granted permission to construct and operate any road within said City, shall keep the space between the rails in good condition and repair to the satisfaction of the Board of Improvements, and in the same manner and with the same material as the street on either side may be improved or kept in repair, and in default thereof for five days after notice the same may be done by the City at the cost of such persons, firm or corporation, so in default, and the cost and expense thereof collected from them by civil action before any court of competent jurisdiction.

SEC. 381. All street railroads constructed within said City shall be constructed of best material to the acceptance of the Board of Improvements, and the cars used such as will afford suitable accommodations to the public and to the acceptance of the Board of Improvements.

SEC. 382. All grants shall be made subject to any in compliance with the provisions of Sections 2501 to 2505 inclusive of the Revised Statutes of Ohio.

SEC. 383. All grants and ordinances granting permission to construct street railroads within said City, shall be made subject to the reservation of the rights of the Council to enact such ordinances

in relation to such roads and their operation as may be proper and necessary for the protection of the public and private rights, and all needful and proper rules and regulations necessary for the public convenience and safety, and subject also to the further reservation of the right of the City to lay or cause to be laid or extended or repaired, all necessary water, sewer and gas mains and pipes from time to time as the public may require.

SEC. 384. The permission to construct and operate a street railroad upon said routes or either of them, or any route hereafter established shall be awarded to the person, firm or corporation, who shall make the lowest responsible bid agreeing to carry passengers at lowest rates of fare, but no bid shall be accepted or any permission given until a written consent of a majority of the property holders along the line of said route, is filed with the Council, provided that such consent given to any applicant or bidder, shall enure to the benefit of all. And the person, firm or corporation to whom any such permission is awarded shall immediately thereafter and before commencing operations, file with the Council, a bond with sureties to the acceptance of the Council in such a sum as may be provided in the ordinances conferring such permissions conditioned for the faithful performance of the terms of such ordinance. Bids may be made and filed at the time of application is made and filed with the Council, or at any time up to the time Council shall act thereon and may at any time by the consent of the Council be withdrawn or amended.—*Vol. —, Page —.*

SEC. 385. That a single track electric street railway route, with the necessary poles, wires, switches, turnouts, Y's and electrical equipments, be, and the same is hereby established, to be known as Street Railway Route No. 40, the course of which shall be as follows:

Commencing in Lima avenue at a point where said Lima Avenue intersects with the westerlay corporate line of the city of Findlay; thence northeasterly in Lima Avenue, crossing the right-of-way and the tracks of the Findlay, Fort Wayne and Western Railway Company (the C., H. and D. and P. M. being lessees of the same) and the tracks of the Lake Erie and Western Railway Company, to the intersection of Lima Avenue and Lima Street; thence with curves therefrom easterly into Lima Street; thence easterly in Lima Street to Main Street; thence northerly by curves into Main Street; thence north to Main street to the north line of Center Street; with all the necessary or convenient curves at any parts of said route, including either or both terminal of the same.

SEC. 386. The tracks laid on said route shall be laid in such part of the streets and public grounds as shall be determined by the Council, and shall be laid and maintained in the streets and public grounds over which the same shall pass at the existing grade. And in case the location of said track requires the moving of the present pavement of any of said streets, the same shall be done at the expense of the owner or owners of said railway, and be re-laid at the same grade as before; and the owner or owners of said electric railway, in case at any time the City shall change the grade of said streets, shall change their grade of said track to correspond to said new grade, at the expense

of the owners of said electric railway, without any claim against the City for damages that may result from such change of grade.

The rails of said track shall be of modern and approved pattern and shall weigh not less than seventy (70) pounds to the yard and shall be laid in such a manner as to be of as little impediment and detriment as practicable to the free and ordinary use of said streets and public grounds and to the passage of wagons, carriages and other vehicles upon or across said track at any point, and in any and all directions. The gauge of said track shall be four feet eight and one-half inches and said track shall be so laid that the top of the rail shall be as nearly as practicable flush with the surface of the street and so as to permit the free flow of water falling or accumulating upon said streets, at all crossings.

In case the tracks shall be so planked or otherwise ordered improved the owner or owners of said railway shall, at their own expense, be required to pave or improve the space between the rails at switches and turnouts, in the same manner as required by the plans and specifications providing for such improvement. In case said track is laid after the streets are improved the owner or owners of said street railway shall, as speedily as possible, restore the street to as good condition as before said track was laid. Any part of the streets or public highways over which said track was laid, which shall be excavated or disturbed in the construction and all excavated earth, rubbish or debris accumulating during the construction, shall be promptly removed from the streets by the owner or owners of said electric street railway, and care shall be taken in the construction of the track to obstruct travel upon the streets as little as possible. All cross walks which shall be taken up in the construction of the track shall be promptly relaid with the same or similar material and restored to as good condition as before by the owner or owners of said electric street railway.

SEC. 387. Said electric street railway shall be operated with electricity or such other motive power as the owner or owners of said electric street railway may elect, provided that any motive power other than electricity shall be first approved by the Council of the City; and if electricity is used as a motive power it shall be operated with overhead wires and with all necessary poles, wires and other appliances. All poles shall be straight as nearly as practicable and shall be so constructed as not to interfere with travel upon the streets and public highways in which said track is to be laid, and said poles shall be set entirely outside of the line of any intersecting alley or private driveway and outside the line of driveway of any intersecting street or highway. All trolley wires shall not be less than seventeen feet above the ground. Whenever the wires of said electric railway shall interfere with the removing of buildings across or along any of the said streets under a permit from the proper authorities to remove such building or buildings along or across any of the said streets, such wires shall be temporarily removed and replaced at the expense of the owner or owners of said railway provided, however, they shall not be removed for the purpose of permitting the removal of buildings except between the hours of 12:30 o'clock A. M. and 5:00 o'clock A. M. and

after three days' written notice to the owner or owners of said railway.

SEC. 388. The owner or owners of said electric street railway shall maintain thereon improved motor cars with all modern conveniences for the comfort of passengers; said motor cars shall be lighted at night, and in cold weather shall be comfortably heated. Each motor car shall be provided with a headlight which shall be kept burning after sunset, and with a gong or bell for danger signals. Cars operated over said route shall have the right of way over the tracks laid thereon, subject to the right of pedestrians and vehicles to cross the same.

SEC. 389. The owner or owners of said electric street railway shall keep in good repair all poles, (which are to be kept painted on all paved streets) wires, tracks, paving or planking constructed by them, and on the failure of said owner or owners of said railway to make any necessary repairs within ten days after receiving notice to do so from the City Council then in that event, the Council may make the same or cause the same to be done, and said City Council may collect all costs and expenses thereof from the owners, and the entire amount shall constitute a lien and charge upon the property and franchises of said owner or owners the same as if formally levied and assessed, as in the case of other City improvements.

SEC. 390. The owner or owners of said street railway shall at all times hereafter, indemnify and keep harmless the City of Findlay from any and all damages, lawful claims and demands for injuries to persons or property, costs and expenses to which said City may be legally subjected or made liable for by any proceedings at law or in equity growing out of the grant of the right to construct and operate said railway and the exercise and enjoyment of the same by said owner or owners, or out of the failure of said owner or owners their successors or assigns, to construct and keep in repair the pavement or other improvements by them herein required to be constructed and maintained provided, that said owner or owners, his or their heirs or assigns, shall have received prompt notice of the pendency of such action and said owner or owners, their successors or assigns, may at their own cost, defend against any such action.

SEC. 391. The owner or owners of said electric street railway shall keep the part of the streets between the rails, including one foot on each outer side thereof, and including the spaces between the track at switches and turnouts, in constant good repair and clear from dirt, snow and ice, and other debris, and remove the same in such a manner as not to obstruct or interfere with the free use of said streets. The use of salt on the tracks in paved streets is prohibited. In case the City fire hose, or other fire apparatus shall be at any time upon the track of said railway, cars shall be stopped or so operated as not to injure the same or interfere in any way with the fire department in endeavoring to extinguish the fires.

SEC. 392. The City of Findlay reserves the right to grant to any individual, company or corporation, operating a street railway, the right to cross the tracks of the railway hereby established, at any public street crossing, and also grant the joint use of said track and ap-

pliances in conformity with Section 3438 of the Revised Statutes of Ohio.

SEC. 393. The electric street railway to be constructed on the route herein described, or on the major portion thereof, shall be completed and in operation by July 1, 1906, unless for good cause shown the Council shall extend the time for the completion and operation thereof; provided, that any delay in its construction by injunctions or other proceedings in Court instituted against the owner or owners thereof without the connivance of said owner or owners, shall not be counted against the time for the completion of the same; and provided, that if said electric street railway is not completed and in operation within the time above provided for, the grant of the right to construct and operate the same may be declared forfeited by the Council, as to that portion of such railway as has not, by July 1, 1906, been constructed and placed in operation; but the grant to construct and operate such street railway shall, notwithstanding any failure to have constructed and in operation all of said route within the time aforesaid, be in all respects a valid grant to construct and operate over the portion of said route actually constructed and in operation within the time aforesaid and as though such portion were so actually constructed and in operation had been in itself the route established in this ordinance. Such owner or owners, his or their heirs and assigns, shall be obligated to comply with all and singular, the terms and conditions of this ordinance and of the ordinance granting the right to construct, maintain and operate such railway over the route herein established, but nothing in this ordinance or in said ordinance granting such right, as to limitation of time for the construction and operation of said railway, shall be construed to apply where failure to construct or operate such railway is due to strikes, accident or interruption of traffic by cause over which such owner or owners, his or their heirs or assigns have no control, or when such delay or interruption is the result of strikes.

SEC. 394. The individual or individuals, corporation or company to whom the grant to operate the street railway route herein established, shall be made, shall take such right subject to the right of the City to have and maintain gas and water pipes and sewers in said streets, and all lot owners to build, place or repair in said streets, sewer, gas, and water pipes and make connections therewith, and subject to the right of the City to pave and repave, or otherwise improve and reimprove the streets and highways and to change the grade thereof, and for any temporary obstruction necessarily resulting from any such use of said streets or any part thereof, the owner or owners thereof shall have no remedy. The City shall not be liable in any way to said owner or owners of said railway for any damages they may sustain from the breaking or overflowing of water from any sewer or drain, or from the breaking of any water or gas pipes or by reason of any change in the grade of said streets. The owner or owners of said electric railway shall be liable for all damages to any and all sewers, water pipes or mains, gas or other pipes running beneath the surface of the street which shall be injured in the construction or repair of said railway.

SEC. 395. The duration of the franchise to construct and operate said street railway over the route hereby and herein established, when granted, shall be for the term of twenty-five years and during all of said period the said owner or owners or his or their heirs or assigns shall have the right and privilege to carry and transport on the railway to be laid over said route, passengers, baggage, United States Mail, express matter and packages and freight for hire, except live stock which shall be transported in express cars.

SEC. 396. No assignment of the right to construct the electric street railway herein provided for shall be operative so far as the rights of the City are concerned unless the owner or owners thereof shall within sixty days from the time such transfer or assignment is consummated notify the Council in writing of the same, and the name or names and addresses of the individual or individuals, company or corporation to whom said assignment or transfer is made.

SEC. 397. The individual, company or corporation to whom shall be granted the right to construct, maintain and operate such railway over the route herein established, shall within thirty days after the passage of an ordinance granting such right, accept in writing the rights and privileges granted therein and shall agree to comply with the conditions thereof.

SEC. 398. All in-coming local cars shall stop at all street crossings to permit passengers, indicating their desire to leave the car, and all outgoing local cars shall stop at all street crossings when signaled by passengers desiring to enter the cars; except cars in limited service. It is also intended that cars, operated over the route herein described, shall accommodate local travel over such portion of the route over which local City cars are not operated.

SEC. 399. In the event of the consolidation or merger of the company or corporation, to whom the right to construct, maintain and operate an electric street railway over the route herein described, is granted with any other electric railway company or companies, operating its or their cars within the corporate limits of the City of Findlay under the grants obtained from said City, fares paid on any one of the lines party to the merger or consolidation, shall be good for a continuous passage over any other of the lines, party to the merger or consolidation from any point within the corporate limits of the City of Findlay to any other point within the corporate limits of the City of Findlay over the lines of said companies parties to the merger or consolidation.

SEC. 400. It is further provided that the company or corporation to whom the right to construct, maintain and operate an electric street railway over the route herein described, is granted, shall provide a suitable waiting and baggage room in said City properly heated and lighted and in charge of an efficient agent; that legal service upon said agent shall be held to be good and efficient service upon said railway company.

SEC. 401. The location of the tracks on the route herein described shall be as follows:

Commencing in Lima Avenue at the westerly corporate limits of the City of Findlay; thence northeasterly on the northerly side of

the said Lima Avenue to Gray Street; thence crossing Lima Avenue to the southerly side of said avenue; thence northeasterly on the south side of said avenue to Liberty street; thence in the center of said Lima Avenue to the intersection of Lima Avenue and Lima Street; thence by curves easterly in Lima Street and in the center thereof to the intersection of Lima Street and Main Street; thence by curves northerly into Main Street; thence northerly in Main Street to the north line of Center Street, the particular location in Main Street to be hereafter designated by the Council. The center line of said track in Lima Avenue, from the westerly corporate limits of the City of Findlay to Gray street, shall not be nearer to the center line of said avenue than Fourteen (14) Feet; and from Gray street to Liberty street the center line of said track shall not be nearer the center line of said Avenue than ten feet.

SEC. 402. Sealed proposals shall be advertised for to construct and operate said street railway under and in accordance with the provisions of this ordinance, over the route herein established, and the Clerk of Council is hereby directed to advertise in a newspaper of general circulation in said City for a period of one week for sealed proposals to construct and operate an electric street railway on the route established in Section 385 hereof, in accordance with the terms, conditions and stipulations of this ordinance. Proposals to specify the lowest rates of single cash fare for which the bidder proposes to carry passengers over said route; said proposals to be addressed to the Clerk of the Council, to be opened by him on the day and hour and at the place named in the advertisement; and said Clerk shall report such bids to the City Council of said City at the meeting thereof next held after the date of such opening. Each bid shall be accompanied by a certified check in the sum of \$20,000 drawn on, and certified by a reliable Banking Corporation doing business in the State of Ohio, and payable to the order of the City of Findlay, Ohio, and which check and the money represented thereby, the bidder by making a bid and depositing such check agrees, shall belong to and become the property of the City of Findlay, as liquidated damages, should such bidder be declared to be the lowest bidder to carry passengers on the route herein established, and within five days after being declared to be such lowest bidder by the said City Council of Findlay, Ohio, fail or neglect to file with the City Clerk of Findlay to be by him produced to the Council for such bidder at the meeting of said Council next thereafter, the valid written consents of a majority of the property holders upon each street or part thereof on the line of the route therein established, represented by the feet front of the property abutting on the several streets along which it is proposed to construct such electric street railway. All certified checks accompanying bids other than the bid declared to be the lowest one, shall upon finding of the Council as to which is the lowest bid be forthwith returned (except the lowest bid) to the person or persons whose bid or bids they accompanied. Upon the production of such consents to the said Council the said check accompanying such declared lowest bid shall be returned to the bidder whose bid is accompanied.

The City Council reserves the right to reject any or all bids.

Said grant shall be made only to the corporation, individual, individuals, or company that shall bid to carry passengers on the proposed route at the lowest rate of fare aforesaid, and that shall have previously obtained and produced to the Council the written consents of the abutting property owners, as required by law.—*Vol. C, Pages 494, 504.*

SEC. 403. Be it ordained by the City Council of the City of Findlay, State of Ohio, that a single track electric street railway route, with the necessary poles, wires, switches, turnouts, Y's and electrical equipments, be and the same hereby is established to be known as Street Railway Route No. 41, the course of which shall be as follows:

Commencing in Blanchard avenue, at a point where the said Blanchard avenue intersects with the easterly corporate line of the City of Findlay, thence northwesterly in Blanchard avenue to the intersection of Blanchard avenue and Blanchard street; thence with curves therefrom northerly into Blanchard street, thence northerly in Blanchard street to East Sandusky street; thence westerly by curves into East Sandusky street, thence westerly in East Sandusky street on and over the bridge of Eagle creek in said street and crossing the right-of-way of the Toledo & Ohio Central Railway Company to the intersection of East Sandusky street and Main street, with all necessary and convenient curves at any part of said route including either or both termini of the same.

SEC. 404. The tracks laid on said route shall be laid in such part of the streets and public grounds as shall be determined by the Council and shall be laid and maintained by the owner or owners of said street railway company in the streets and public grounds over which the same shall pass at the existing grade. And in case the location of said track requires the moving of the present pavement of any of said streets the same shall be done at the expense of the owner or owners of said railway, and be relaid at the same grade as before; and the owner or owners of said electric railway in case at any time the City shall change the grade of said streets, shall change the grade of said track to correspond to said new grade, at the expense of the owners of said electric railway, without any claim against the City for damages that may result from such change of grade.

The rails of said track shall be of modern and approved pattern and shall weigh not less than seventy (70) pounds to the yard, and shall be laid in such a manner as to be of as little impediment and detriment as practicable to the free and ordinary use of said streets and public grounds and to the passage of wagons, carriages and other vehicles upon or across said track at any point and in any and all directions. The gauge of said track shall be four feet, eight and one-half inches and said track shall be so laid that the top of the rail shall, be as nearly as practicable, flush with the surface of the street and so as to permit the free flow of water falling or accumulating upon said streets.

At all street crossings the tracks shall be so planked or otherwise constructed as to make a safe and convenient crossing for vehicles as well as pedestrians and shall be so maintained by the owners of said electric railway in constant good repair.

Whenever the City shall pave or otherwise improve any of the streets over which said track shall pass, the owner or owners of said railway shall at their own expense be required to pave or improve the space between the rails and to the distance of one foot on the outside of the outer line of said rails including the space between the rails, at switches and turnouts, in the same manner required by the plans and specifications provided for such improvement. In case said track is laid after the streets are improved the owner or owners of said street railway, shall, as speedily as possible restore the street to as good condition as before track was laid. Any part of the streets or public highways over which said tracks shall pass, which shall be excavated or disturbed in the construction of said track, shall be restored as soon as possible to its former condition of usefulness, and all excavated earth, rubbish or debris accumulating during the construction to be promptly removed from the streets by the owner or owners of said electric street railway, and care shall be taken in the construction of the track to obstruct travel upon the streets as little as possible. All cross-walks which shall be taken up in the construction of the tracks shall be promptly relaid with the same or similar material and restored to as good condition as before by the owner or owners of said electric street railway.

SEC. 405. The owner or owners of said street railway company shall pave that part of East Sandusky street lying between the T. & O. C. Railway and the east line of Main street which is embraced between lines drawn one foot on the outside of the outer line of the rails of the track or tracks of said street railway company including the space between the rails at all switches and turnouts, in default of which the City may construct said improvement and assess the cost thereof against said street railway company and collect the same according to law.

SEC. 406. Said electric street railway shall be operated with electricity or such other motive power except steam as the owner or owners of said electric street railway may elect, provided that any motive power other than electricity shall be first approved by the Council of the City; and if electricity is used as a motive power, it shall be operated with overhead wires and with all necessary poles, wires and other appliances. All poles shall be straight as nearly as practicable and shall be so constructed as not to interfere with travel upon the streets and public highways in which said track is to be laid, and said poles shall be set entirely outside of the line of any intersecting alley or private driveway, and outside the line of the driveway of any intersecting street or highway. All trolley wires shall not be less than seventeen feet above the ground. Whenever the wires of said electric railway shall interfere with the removing of buildings across or along any of said streets under a permit from the proper authorities, to remove such building or buildings along or across any of said streets, such wires shall be temporarily removed and replaced at the expense of the owner or owners of said railway, provided, however, they shall not be removed for the purpose of permitting the removal of buildings except between the hours of 12:30 o'clock A. M., and 5

o'clock A. M., and after three days' written notice to the owner or owners of said railway.

SEC. 407. The owner or owners of said electric street railway shall maintain thereon improved cars with all modern conveniences for the comfort of passengers; said motor cars shall be lighted at night, and in cold weather shall be comfortably heated. Each motor car shall be provided with a head-light which shall be kept burning after sunset, and which shall be screened after night, and with a gong or bell for danger signals. Cars operated over said route shall have the right of way over the tracks laid thereon, subject to the right of pedestrians and vehicles to cross the same.

SEC. 408. The owner or owners of said electric street railway shall keep in good repair all poles, (which are to be kept painted on all paved streets,) wires, tracks, paving or planking constructed by them, and on the failure of said owner or owners of said railway to make any necessary repairs within ten days after receiving notice to do so from the City Council, then and in that event, the Council may make the same, or cause the same to be done, and said City Council shall collect all costs and expenses thereof from the owner or owners and the entire amount of said costs and expenses shall constitute a lien and charge upon the property and franchise of said owner or owners the same as if formally levied and assessed; as in the case of other City improvements.

SEC. 409. The owner or owners of said street railway shall at all times hereafter, indemnify and keep harmless the City of Findlay from any and all damages, lawful claims and demands for injuries to persons or property, costs and expense to which said City may be legally subjected or made liable for any proceedings at law or in equity growing out of the grant of the right to construct and operate said railway and the exercise and enjoyment of the same by said owner or owners or out of the failure of said owner or owners, their successors or assigns, to construct and keep in repair the pavement or other improvements by them herein required to be constructed and maintained; provided that said owner or owners, his or their heirs or assigns, shall have received prompt notice of the pendency of such action and said owner or owners, their successors or assigns, may at their own cost, defend against any such action.

SEC. 410. The owner or owners of said electric street railway shall keep the part of the street between the rails, including one foot on each side thereof, and including the spaces between the tracks at switches, and turnouts in constant good repair, free and clear from dirt, snow and ice, and other debris, and remove the same in such a manner as not to obstruct or interfere with the free use of said streets. The use of salt on the tracks in paved streets is prohibited. In case the city fire hose, or other fire apparatus shall be at any time upon the track of said railway, cars shall be stopped or so operated as not to injure the same or interfere in any way with the fire department in endeavoring to extinguish fires.

SEC. 411. The City of Findlay reserves the right to grant to any individual, company or corporation, operating a street railway, the right to cross the tracks of the railway hereby established, at any or

all public highways, and also to grant the joint use of said track and appliances in conformity with the Revised Statutes of Ohio.

SEC. 412. The electric street railway to be constructed on the route herein described, or on the major portion thereof shall be completed and in operation by July 1st, 1908, unless for good cause shown the Council shall extend the time for the completion and operation thereof; provided, that any delay in its construction by injunction or other proceedings in court instituted against the owner or owners thereof, except delay caused by violation of the provisions of this ordinance or the franchise ordinance, by said owner or owners for which the City of Findlay obtains an injunction, without the connivance of said owner or owners, shall not be counted as against the time for the completion of the same; and provided, that if said electric street railway is not completed and in operation within the time above provided for, the grant of the right to construct and operate the same may be forfeited by the Council, as to all that portion of said railway constructed or otherwise, and all that part of the franchise within the City limits as has not by July 1st, 1908, been constructed and placed in operation.

Such owner or owners, his or their heirs and assigns, shall be obligated to comply with all and singular the terms and conditions of this ordinance and of the ordinance granting the right to construct maintain and operate such railway over the route herein established, but nothing in this ordinance granting such right as to limitation of time for the construction and operation of said railway, shall be construed to apply where failure to construct or operate such railway is due to strikes, accident, or interruption of traffic by cause over which such owner or owners have no control, or when such delay or interruption is the result of strikes.

SEC. 413. The individual or individuals, corporation or company to which the grant to operate the street railway route herein established shall be made, shall take such right subject to the right of the City to have and maintain gas and water pipes and sewers in said streets, and all lot owners to build, place or repair in said streets, sewers, gas and water pipes and make connections therewith, and subject to the right of the city to pave and repave or otherwise to improve or reimprove the streets and highways and to change the grade thereof, and for any temporary obstruction necessary resulting from any such use of said streets or any part thereof the owner or owners of said street railway company shall have no remedy. The City shall not be liable in any way to said owner or owners of said railway for any damages they may sustain from the breaking or overflowing of water, from any sewer or drain or from breaking of any water or gas pipes or by reason of any change in the grade of said streets. The owner or owners of said electric street railway shall be liable for all damages to any and all sewers, water pipes or mains, gas or other pipes running beneath the surface of the street which shall be injured in the construction or repair of said railway.

SEC. 414. The duration of the franchise to construct and operate said street railway over the route hereby and herein established when granted shall be for the term of twenty-five years and during all

of said period said owner or owners, or his or their heirs or assigns shall have the right and privilege to carry and transport on the railway to be laid over said route, passengers, baggage, United States mail, express matter and packages and freight for hire, except live stock, which shall be transported in express cars.

SEC. 415. No assignment of the right to construct the electric street railway herein provided for shall be operative so far as the rights of the City are concerned unless the owner or owners thereof shall within sixty days from the time such transfer or assignment is consummated, notify the Council in writing of the same and the name or names and addresses of the individual or individuals, company or corporation to whom said assignment or transfer is made.

SEC. 416. The individual, company or corporation to whom shall be granted the right to construct, maintain and operate such railway over the route herein established, shall, within thirty days after the passage of an ordinance granting such right, accept in writing the rights and privileges granted therein and shall agree to comply with the conditions thereof.

SEC. 417. All in-coming local cars shall stop at all street crossings to permit passengers, indicating their desire, to leave the car, and all outgoing local cars shall stop at all street crossings when signalled by passengers desiring to enter the cars; except cars in limited service. It is also intended that cars operated over the route herein described, shall accommodate local travel over such portion of the route over which local city cars are not operated.

SEC. 418. In the event of the consolidation or merger of the company or corporation, to whom the right to construct, maintain and operate an electric street railway over the route herein described, is granted, with any other electric railway company, or companies, operating its or their cars within the corporate limits of the City of Findlay under grants obtained from said City, fares paid on any one of the lines party to the merger or consolidation, shall be good for a continuous passage over any other of the lines party to the merger or consolidation, from any point within the corporate limits of the City of Findlay to any other point within the corporate limits of the City of Findlay, over the lines of said companies parties to the merger or consolidation. Further that said owner or owners of said street Railway Company to which said franchise is granted be required to give transfers to City passengers from points on its line good for passage over the line or lines of any other railway company now or hereafter required by its franchise to give similar transfers.

SEC. 419. It is further provided that the company or corporation to whom the right to construct, maintain and operate an electric street railway over the route herein described, is granted, shall provide a suitable waiting and baggage room in said City properly heated and lighted and in charge of an efficient agent; that legal service upon said agent shall be held to be good and efficient upon said railway or company.

SEC. 420. The location of the tracks on the route herein described shall be as follows: Commencing in Blanchard Avenue at a point where said Blanchard Avenue intersects with the southeasterly

corporate line of the City of Findlay, thence northwesterly in Blanchard Avenue on the southerly side of Blanchard avenue to Morse street, thence by curve to the center line of Blanchard avenue, thence northwesterly along the center line of Blanchard avenue to the intersection of Blanchard avenue and Blanchard street; thence with curves therefrom northerly into Blanchard street, thence northerly in Blanchard street, along the center line of said street to the intersection of Blanchard street and East Sandusky street, thence by curves westerly into East Sandusky street, thence westerly in East Sandusky street, and in the center of said East Sandusky street crossing on and over the bridge of Eagle Creek in said street and extending westerly in the center of East Sandusky street to its intersection with Main street with all necessary and convenient curves to enable proper connections to be made at each termini of said route.

SEC. 421. Sealed proposals shall be advertised for, to construct and operate said street railway under and in accordance with the provisions of this ordinance, over the route herein established, and the Clerk of the Council is hereby directed to advertise in a newspaper of general circulation in said City for a period of one week for sealed proposals to construct and operate an electric street railway on the route established in Section 403 hereof in accordance with the terms, conditions and stipulations of this ordinance. Proposals to specify the lowest rate of single cash fare for which bidder proposes to carry passengers over said route; said proposals to be addressed to the Clerk of the Council, to be opened by him on the day and hour and at the place to be named in the advertisement; and said Clerk shall report such bids to the City Council of said City at the meeting thereof next held after the date of such opening.

Each bid shall be accompanied by a certified check in the sum of \$100.00 drawn on and certified by a reliable banking corporation doing business in the State of Ohio, and payable to the order of the City of Findlay, Ohio, and which check and the money represented thereby, the bidder by making a bid and depositing such check agrees shall belong to and become the property of the City of Findlay, Ohio, as liquidated damages should such bidder be declared to be the lowest bidder to carry passengers on the route herein established and within five days after being declared to be such lowest bidder by the said City Council of Findlay, Ohio, fail or neglect to file with the City Clerk of Findlay, to be by him produced to the Council for such bidder at the meeting of such Council next thereafter, the valid written consents of a majority of the property holders upon each street or part thereof on the line of the route herein established, represented by the feet front of the property abutting on the several streets along which it is proposed to construct such electric street railway. All certified checks accompanying bids, other than the bid declared to be the lowest one, shall upon finding of the Council as to which is the lowest bid, to be forthwith returned to the person or persons whose bid or bids they accompanied. Upon the production of such consents to the said Council the said check accompanying such declared lowest bid shall be returned to the bidder whose bid it accompanied.

The City Council reserves the right to reject any or all bids. Said

grant shall be made only to the corporation, individual, individuals or company that shall bid to carry passengers on the proposed route at the lowest rate of fare aforesaid, and that shall have previously obtained and produced to the Council the written consents of the abutting property owners on said streets aforesaid, as required by law.—*Vol. D, Page 19.*

SEC. 422. That a street railroad route be and the same is hereby established in said City of Findlay, State of Ohio, to be known as street Railroad route number forty-two (42) the course of which shall be as follows: Upon and over East Sandusky street from the intersection of said street within the eastern corporate limit of said City, west to and upon Main street of said City.

SEC. 423. The street railroad to be constructed and operated over and along said route shall consist of a single track, with all necessary turnouts, curves, sidetracks, switches, loops, Y's, poles, wires, appurtenances, equipments and appliances for the transportation of passengers packages, baggage, express matter, mail matter and freight. Said street railroad shall be operated by electric or other motive power, except steam and animal power.

SEC. 424. The grant to construct, maintain, and operate a street railroad, upon and along said street railroad route, number forty-two (42) shall be for the term of twenty-five years.

SEC. 425. Sealed proposals shall in accordance with law, be received by said Council, to construct and operate said Street Railroad over the route hereby established and the Clerk of the said City is hereby directed within fifteen days after this ordinance shall be in force and take effect to advertise for a period of four weeks, as provided by law for sealed proposals to construct and operate a street railroad on the route hereby established, proposals to specify the maximum rate of fare for which the bidder proposes to carry passengers over said route. Said proposals shall be addressed to the Clerk of the City of Findlay, State of Ohio, to be opened by him, at the day and hour and place named in the advertisement, the Council reserving the right to reject all bids. The grant to construct, operate, and maintain said railroad, shall be made only to responsible corporation, individual, individuals or company which shall bid to carry passengers on said proposed route, at the lowest rates, and shall be subject to the condition and provisions set forth in the ordinance making the grant of said rights to the successful bidder therefor, and which shall previously have obtained and produced to the Council the written consent of abutting property holders as required by law.—*Vol. D, Page 128.*

CHAPTER XXIX.

SINKING FUND.

SECTION 426 Creation of.

SECTION 426. That for the purpose of better arranging and providing for the gradual extinguishment of the bonds and funded

debt of said City there be and there is hereby created a Sinking Fund for said City under the provisions of Chapter Three, Division Nine, Title Twelve of the Revised Statutes of Ohio.—*Vol. B, Page 255.*

CHAPTER XXX.

SPEED OF LOCOMOTIVES AND OTHER VEHICLES EXCEPT STREET CARS.

SECTION	427	Speed of.
SECTION	428	Penalty.
SECTION	429	Speed of horses and other animals and bicycles.
SECTION	430	Penalty.

SECTION 427. That all Engineers, Conductors and Railway Companies who operate or have charge of any locomotive, railroad car or train, or who is the owner or has the management or operation of any railroad or part thereof, within the limits of said City, be and they are hereby required to run their said locomotives, railroad cars or trains at a rate of speed not greater than 15 miles per hour within or while passing through said City and it shall be unlawful for any such Engineer, Conductor or Railway Company to run any such locomotive, railroad car or train at a greater rate of speed than 15 miles per hour within or while passing through said City.

SEC. 428. That for every violation of any of the provisions of Section 427, such Engineer, Conductor or Railroad company shall be liable to the City in any sum not less than Five Dollars nor more than Fifty Dollars to be recovered in a civil action before any Court having jurisdiction.—*Vol. B, Page 132.*

SEC. 429. That it shall be unlawful for any person or persons to run, race or drive, or cause or assist in so doing, any horse or horses or other animal or animals, or bicycle, upon or along any of the streets, avenues, alleys, public highways or grounds in said City, or to ride or drive any horse or horses, or other animal or animals or bicycles upon or along any of the public ways or places, in such a manner as to endanger or unreasonably discommode any person or persons or to interfere in the free and proper use of said public ways and places aforesaid; or in any event, at a rate of speed exceeding eight (8) miles per hour.

SEC. 430. Any person who shall violate any or either of the provisions of Section 429 shall, upon conviction thereof, be fined in any sum not less than Five (\$5.00) Dollars nor more than Twenty-five (\$25.00) Dollars for each and every offense.—*Vol. D, Page 192.*

CHAPTER XXXI.

TELEGRAPH.

SECTION 431 Franchise to The Buckeye Pipe Line Company granted.

- SECTION 432 Poles—How erected.
- SECTION 433 Grant not exclusive.
- SECTION 434 City may use poles.
- SECTION 435 City to be indemnified.

SECTION 431. That, subject to the terms and conditions hereinafter set forth, the ordinances of the City of Findlay heretofore passed governing the use of the streets, alleys, and public highways of said City in the erection of telegraph systems and subject to such rules and regulations governing the use thereof as may hereafter be adopted by the City of Findlay, the consent of the City Council of the City of Findlay, Ohio, is hereby given to the said, The Buckeye Pipe Line Company to maintain and operate a system of telegraph including all necessary poles, wires, and fixtures within said City upon and along the following route, to-wit, beginning at its offices in the Jones building on West Crawford street, thence west on West Crawford street to Cory street, thence north along Cory street to the first alley north of West Main Cross street, thence west in said alley to the right of way of The Lake Erie & Western railroad, thence northwesterly to the intersection of the west line of said right of way with West Front street, thence west along West Front street to Factory street, thence south along Factory street to West Main Cross street, thence west along said West Main Cross street to the corporation line.

SEC. 432. All poles shall be erected under the supervision and direction of the City Civil Engineer, and shall be erected so that neither they nor the wires strung thereon shall injure the support or working of the lines of any other corporation, company, or individual, previously erected and in such a manner as not to interfere with the public use of said high-way or in any way to injure, obstruct or inconvenience any person in his rights to the free use of such high-way as a public high-way; nor in such a manner as to obstruct or inconvenience any public or private drive or passage way, or injure or obstruct any sewer, water or gas line. Said Company shall restore the surface of said highway, which may be disturbed by it in the erection or maintenance of poles, to the condition in which it was found. In case the poles of said Company shall interfere with the change of grade or change of curb line of any street or with any other public improvement, said Company shall by order of the Council remove such poles at its own expense to conform to said improvement.

All poles shall be straight and neatly shaven and safe for the purpose for which they are used, and shall be imbedded in the ground not less than five (5) feet and shall not extend less than thirty (30) feet above the surface of the ground.

SEC. 433. Nothing in this ordinance shall be so construed as to grant to said Company an exclusive right upon and along the above designated route.

SEC. 434. The City shall be privileged to use said poles in the operation of its telegraph system, provided, such use shall not interfere with the use thereof by said Company.

SEC. 435. Said Company shall indemnify and save harmless

the City from any claim for damages caused by the construction or negligent maintenance of said lines and shall be liable for any injury resulting therefrom to public or private property of any kind whatsoever.—*Vol. D, Page 251.*

CHAPTER XXXII.

TIRES.

SECTION 436 Width of—How determined.

SECTION 437 Penalty.

SECTION 436. That it shall be unlawful for any person or persons to transport, haul or convey, or cause the same to be done, any load, weight or burden, over or through any of the public streets, avenues or alleys of the City of Findlay, Ohio, on any wagon or other wheeled vehicle having a tire of less than the following width for the following loads in ton weights of two thousand (2,000) pounds, viz: On four (4) wheeled vehicles, for any load or burden exceeding one and one-half (1 1-2) tons weight and not exceeding two (2) tons weight, not less than two inches in width; for any load or burden exceeding two (2) tons weight and not exceeding (2 1-2) two and one-half tons weight, not less than two and one-half (2 1-2) inches in width; for any load or burden exceeding two and one-half (2 1-2) tons weight and not exceeding four (4) tons weight, not less than three (3) inches in width; for any load or burden exceeding four (4) tons weight, and not exceeding (5 1-2) tons weight, not less than four (4) inches in width, for any load or burden exceeding 5 1-2 tons weight and not exceeding 7 tons weight, not less than 5 inches in width; for any load or burden exceeding 7 tons weight and not exceeding 8 1-2 tons weight, not less than 6 inches in width; on all two (2) wheeled vehicles used for light purposes the width of the tires shall be as follows, viz: For any load or burden exceeding one (1) ton weight and not exceeding two (2) tons weight, not less than three (3) inches in width; for any load or burden exceeding two tons weight and not exceeding 3 tons weight, not less than four inches in width; for any load or burden exceeding 3 tons weight, not less than 5 inches in width.

No weight or burden shall be transported, hauled or conveyed over, or through any of the paved streets, avenues, or alleys of said City, which shall exceed 10 tons in weight.

SEC. 437. Any person or persons who shall violate any of the provisions of the two preceding sections shall, upon conviction therefore, be punishable by a fine of not less than Ten Dollars (\$10.00) nor more than One Hundred Dollars (\$100.00.)—*Vol. D, Page 338.*

CHAPTER XXXIII.

TREES.

SECTION 438 How trimmed.

SECTION 439 By whom trimmed.

SECTION 440	Penalty.
SECTION 441	Unlawful to destroy.
SECTION 442	Unlawful to tie domestic animals to.
SECTION 443	Penalty

SECTION 438. It shall be the duty of the owner or agent of any lot or parcel of land fronting or abutting on any street, avenue or public grounds in the City of Findlay, Ohio, in which shade trees are planted and growing to trim or cause to be trimmed the branches of the trees in front of and along their respective lots or lands near which public lamps are placed so as not to obstruct the passage of light from said lamps to the street and sidewalk adjacent and shall trim all branches overhanging sidewalks so as to leave a clear height of Ten feet above the surface of the sidewalk, and a clear height of twelve feet over the surface of the road unobstructed by branches.

SEC. 439. It shall be the duty of the Director of Public Service to notify the owner or agent of any lot or parcel of land in front of or along which shade trees are planted as aforesaid to comply with the requirements of the next preceding section and on failure or refusal so to do, after being duly notified for a period of ten days it shall be the duty of said Director to cause the same to be done at the expense of the owner of said property, which expense shall be reported to Council, that the same be assessed against said property for collection as other taxes.

SEC. 440. Any person who shall violate any provision of the two preceding sections shall on conviction thereof be fined in any sum not less than One Dollar nor more than Twenty Dollars.—*Vol. D, Page 199.*

SEC. 441. That it shall be unlawful for any person within the corporate limits within the City of Findlay, Ohio, to break, cut down, uproot or destroy, mark, mar or injure in any manner, without lawful authority, any shade, fruit, ornamental tree or shrub planted or cultivated for use, shade or ornament upon any of the public or private grounds of the City or upon any street or highway thereof. And it shall be unlawful for any person to cause or suffer any of the aforesaid trees or shrubs to be broken down, uprooted, or in any manner destroyed or injured by any of his, her or their horses, cows or other animals.—*Vol. D, Page 197.*

SEC. 442. It shall be unlawful for any owner or possessor of any horse or other domestic animal to cause or suffer said horse or other domestic animal to be fastened or hitched on any shade, or fruit, ornamental tree or shrub planted or cultivated for use, shade, or ornament upon any of the public or private grounds of the City of Findlay, or upon any of its streets or thoroughfares or to any guard, or so near thereto that such horse or other domestic animal shall be able to injure such tree or guard.

SEC. 443. Any person violating any of the provisions of the two preceding sections shall, upon conviction thereof, be fined in any sum not less than One Dollar nor more than Twenty Dollars.—*Vol. D, Page 197.*

CHAPTER XXXIV.*VEHICLES.*

SECTION	444	Term vehicle defined.
SECTION	445	Who shall comply with.
SECTION	446	Vehicles—How driven.
SECTION	447	When meeting.
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SECTION	449	Vehicles moving slowly—Where to drive.
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SECTION	453	Crossing streets.
SECTION	454	How to stop.
SECTION	455	Funeral processions—Not to drive through— Exceptions—When not to apply.
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SECTION 444. The term vehicles as herein used shall include all drays, wagons, hackney coaches, omnibuses, automobiles, motorcycles, bicycles, power trucks, carriages, buggies and other vehicles, except street cars.

SEC. 445. The owner, operator, driver or person in charge of any vehicle propelled or driven upon the streets, lanes, avenues or public places of the City of Findlay, Ohio, shall conform to and observe the following regulations and rules of the road.

SEC. 446. Vehicles shall be driven in a careful manner and with due regard to the safety and convenience of pedestrians and all vehicles.

SEC. 447. All vehicles meeting shall pass each other to the right.

SEC. 448. All vehicles overtaking shall keep to the left of the vehicle which is overtaken, and in the case of automobiles and motor trucks shall, before passing, give signal by the blowing of a horn or the ringing of a bell of their intention to do so.

SEC. 449. Vehicles moving slowly shall keep as closely as possible to the curb on the right, allowing more swiftly moving vehicles free passage to the left.

SEC. 450. Drivers or operators of vehicles, before turning,

stopping or changing their course shall make sure that such movement can be made in safety.

SEC. 451. Vehicles turning to the right into another thoroughfare shall pass and turn the corner as near to the right hand curb as possible.

SEC. 452. Vehicles turning to the left into another thoroughfare shall pass to the right of and beyond the center of the thoroughfare intersecting before turning.

SEC. 453. Vehicles crossing from one side of a thoroughfare to the other side, shall do so by turning to the left so as to head in the same direction as the traffic on that side of the thoroughfare towards which the crossing is made.

SEC. 454. No vehicle shall stop with its left side to the curb.

SEC. 455. No vehicle shall be driven through processions excepting with the permission of a police officer, providing that nothing herein contained shall apply to any vehicles of the police or fire department, or ambulances.

SEC. 456. The driver or operator of every vehicle when such vehicle is approaching a street car stopping for the purpose of taking on or discharging passengers, shall give some signal plainly visible or audible to such passengers, and shall keep such vehicles at least six feet from the running board or lower step of such car; and if either by reason of the presence of vehicles at the place where such car is stopping, or by reason of the narrowness of the street, it is not possible to preserve such distance from such running board or lower step, the driver or operator of such vehicle shall stop the same until such car shall have taken on or discharged its passengers and again started.

SEC. 457. No vehicle shall stop on any thoroughfare more than two feet from the curb unless such stop is made necessary in complying with the provisions of the preceding section.

SEC. 458. No person under the age of sixteen years shall operate, drive or propel any automobile or motorcycle on any thoroughfare in this City.

SEC. 459. No vehicle shall remain backed up to the curb except it be actually loading or unloading, and in such case not longer than the actual loading or unloading requires.

SEC. 460. The horse or horses or other animal power attached to any vehicle backed up to the curb, shall be turned at right angles to the vehicle and in the direction in which the traffic on that side of the thoroughfare is moving.

SEC. 461. No automobiles shall be operated upon any thoroughfare unless equipped with an efficient muffler and no such automobile shall be operated with said muffler open.

SEC. 462. The motor of an automobile shall be stopped when such automobile is at rest.

SEC. 463. Pedestrians shall have preference at street crossings but they must not loiter in crossing the street.

SEC. 464. The driver of any vehicle shall stop upon the signal of a police officer.

SEC. 465. The police department shall have all powers and duties in relation to the management of vehicular traffic.

SEC. 466. The police department shall see that this ordinance is posted in every public stable, automobile garage, and shall keep copies in the office of the Director of Public Safety to be issued upon application, and it shall be the duty of the owner or person in charge of any public stable or automobile garage to see that this ordinance is kept posted therein.

SEC. 467. Any person or persons violating any of the provisions of Sections 444 to 466 inclusive of this ordinance shall, upon conviction thereof be fined not less than Five Dollars (\$5.00) nor more than Twenty-five Dollars (\$25.00) for a first offense and not less than Ten Dollars (\$10.00) nor more than Fifty Dollars (\$50.00) for a second offense and not less than Twenty-five Dollars (\$25.00) nor more than One Hundred Dollars (\$100.00) or thirty (30) days' imprisonment, or both, for a third offense.—*Vol. D, Page 360.*

CHAPTER XXXV.

WARDS.

SECTION 468	Ward No. 1.
SECTION 469	Ward No. 2.
SECTION 470	Ward No. 3.
SECTION 471	Ward No. 4.

SEC. 468. That the city of Findlay, Ohio, be and hereby is divided into four (4) wards, bounded and described as follows:

That all that part of the City of Findlay, which is bounded on the north by the northern corporation line, on the west by the western corporation line, on the south by the center line of West Main Cross street, and on the east by the center line of Main street, shall constitute and be a ward and be designated "Ward No. 1."

SEC. 469. That all that part of said City bounded on the north by the northern corporation line, on the west by the center line of Main street, on the south by the center line of the Blanchard River and on the east by the eastern corporation line of said City shall be a ward and designated as "Ward No. 2."

SEC. 470. That all that part of said City bounded on the north by the center line of West Main Cross street in said City, and on the south by the southern corporation line and on the west by the western corporation line and on the east by the center line of Main street shall constitute and be a ward and be designated as "Ward No. 3."

SEC. 471. That all that part of said City bounded on the north by the center line of the Blanchard River and on the east by the eastern corporation line, and on the south by the southern corporation line of said City, and on the west by the center line of Main street in said City shall constitute and be a ward and be designated "Ward No. 4."—*Vol. C, Page 240.*

CHAPTER XXXVI.

WATER LINES.

SECTION 472 Main street—When to be connected with alleys.

SECTION 473 Connections—Supervision of work.

SEC. 472. That wherever the water lines connecting properties on Main street with the water mains in said street between Lincoln street and Center street are either broken or removed by order of the City, the owners of the property whose water lines are either broken or so ordered to be removed, shall thereupon connect their respective properties with the water lines in the alley back of said properties.

SEC. 473. That said connections shall be made under the direction and supervision of the superintendent of the Water Works of said City—*Vol. D, Page 341.*

CHAPTER XXXVII.

WEIGHTS AND MEASURES.

SECTION 474 Sealer of Weights and Measures—How appointed
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SECTION 492 Coal and Coke—Sales of—How regulated.

SECTION 493 Weight slip to be exhibited to whom—Weight to
be verified at whose request.

SECTION 494 Weight or measurement falsely represented is un-
lawful.

SECTION 495 Sealer of weights and measures' shall be provided
with an office.

SECTION 496 Property of such office to be turned over to whom—When.

SECTION 497 Penalty.

SEC. 474. That the Mayor of the City of Findlay, Ohio shall appoint a Sealer of weights and measures, whose term of office shall be co-extensive with the term of office of the Mayor making said appointment, and until his successor is appointed and qualified.

SEC. 475. The said Sealer of weights and measures shall receive as salary, the sum of One Hundred and Twenty (\$120.00) Dollars per year, payable monthly.

SEC. 476. Said Sealer of weights and measures shall give bond to the City of Findlay, Ohio, in the sum of Three Hundred Dollars (\$300.00) with security to the approval of the Mayor, for the faithful performance of his duties as such Sealer of Weights and Measures during the term for which he may be appointed, as aforesaid, and until his successor shall be appointed and qualified.

SEC. 477. Said Sealer of Weights and Measures shall have such power and perform such duties in regulating, inspecting, testing, sealing and stamping weights and measures within the City of Findlay, Ohio, as are or may be prescribed by the Statutes of the State of Ohio, and the Ordinances of the City of Findlay, hereafter adopted.—*Vol. D, Page 305.*

SEC. 478. That there shall be a regulation of weights and measures within the City of Findlay, Ohio, and the standards adopted by the State of Ohio shall be the test by which they shall be compared and determined. The peck, half peck, quarter peck, quart and pint measures for measuring commodities which are not liquids, shall be derived from the standard half bushel by dividing the capacity of that and each successive measure by two. The interior depth of the half bushel shall not exceed 7 and 1-2 inches, nor be less than 7 inches; of the peck, shall not exceed 6 inches, nor be less than 5 and 1-2 inches; of the half peck, shall not exceed 5 inches, nor be less than 4 and 1-2 inches; of the quarter peck, shall not exceed 4 inches, nor be less than 3 and 1-2 inches; of the quart, shall not exceed 3 inches, nor be less than 2 and 1-2 inches.

SEC. 479. It shall be the duty of the City Sealer of Weights and Measures, and he is hereby authorized and required to test all weights, measures, scales, beams, steelyards, platform scales and other machinery or appliances, utensils or receptacles used for weighing or measuring articles or commodities to be purchased, sold, offered or exposed for sale in the City of Findlay, Ohio, at least once every six (6) months at the several places where the same are used, when practicable so to do, otherwise at his office or place of business. If he shall have found, upon examination, the same to be correct, according to the standards aforesaid, he shall seal and mark the same with a stamp or seal or by pasting a card thereon, as he may deem most proper; and the character or letters or figures to be stamped or sealed thereon shall be "F. S." meaning thereby "Findlay Standard," and the date and year it was stamped or sealed. It shall be the duty of the City Sealer of Weights and Measures to inspect and examine any of the aforesaid appliances in use or about

to be used when requested so to do by the owner or operator thereof. And any and all persons, when called upon by said City Sealer shall produce and exhibit any and all weights, measures, scales, beams, steelyards, platform scales, and other machinery or appliances, utensils or receptacles used for weighing or measuring articles or commodities to be purchased, sold, offered or exposed for sale within said City. All itinerant peddlers hawkers or other person or persons having no office, store or other regularly established place of business in said City of Findlay, who shall use weights, measures, scales, beams, steelyards, platform scales or other machinery or appliances for the purpose of weighing or measuring as aforesaid, shall take the same to the office of the said City Sealer before using, and have the same tested and sealed, and shall take the same to the office of said City Sealer and have the same tested and sealed at least once in every six (6) months thereafter.

All weights, scales, beams, steelyards, platform scales or other machinery or appliances used for weighing, when out of order shall be labeled "Out of use" and ordered out of use until repaired. When repaired, notice shall be given to said City Sealer who shall thereupon inspect and examine the same and if correct according to the standards aforesaid the same shall be sealed by said City Sealer.

SEC. 480. It shall be the duty of the City Sealer of Weights and Measures to keep a daily record of all weights, measures, scales, beams, steelyards, platform scales or other machinery or appliances, utensils, or receptacles used for weighing or measuring, by him tested, sealed, adjusted or made to conform to the established standards as provided by this ordinance, together with the location, name and business of the owner or owners thereof, which records shall be placed on file in his office or headquarters not later than noon of the day following the date of such examination and which record shall at all times be subject to the inspection of the public. And it shall be the duty of said City Sealer to report forthwith to the Mayor of said City, the names of any and all persons whose weights, measures, scales, beams, steelyards, platform scales, or other machinery or appliances, utensils or receptacles, wagons or vehicles, used for weighing or measuring, have been ascertained by him to be out of order or incorrect; and to file with the Mayor not later than the 5th day of each month, a detailed summary or statement of all his official transactions for the preceeding month.

SEC. 481. All persons using weights, measures, scales, beams, steelyards, platform scales, or other machinery or appliances, utensils or receptacles for weighing or measuring any articles or commodities to be purchased, sold, offered or exposed for sale within said City of Findlay, or in the weight or measurement of which other persons or the public are interested, shall cause such weights, measures, scales, beams, steelyards, platform scales, or other machinery or appliances, utensils or receptacles used for weighing or measuring as aforesaid to be tested, marked and sealed by the said City Sealer; and it shall be unlawful for any person or persons to sell any article or commodity which is commonly sold by weight or measure, unless said articles or commodities first and at the time of such sale or purchase be weighed or measured by weights, measures scales, beams, steelyards platform, scales, or other

machinery or appliances, utensils or receptacles tested, marked and sealed by said City Sealer as aforesaid. And it shall be unlawful for any person or persons to sell or expose for sale within the City of Findlay, Ohio, any commodity, article or articles which are commonly bought or sold by measure, in box, basket, package, measure, utensil or receptacle which shall not contain either the standard half bushel or some multiple or aliquot part thereof, and distinctly marked or labeled so as to show the exact quantity therein contained.

SEC. 482. No person or persons, with the intent to use the same for weighing or measuring articles or commodities to be purchased, sold, offered or exposed for sale within said City of Findlay, Ohio, shall alter or cause or permit to be altered or knowingly use or permit to be used after the same shall have been tested, marked and sealed as aforesaid, which by reason of such alteration shall not conform to the standard herein established; and any person who shall mark or seal or cause to be marked or sealed any weight, measure, scale, beam, steelyard, platform scale, or other machinery or appliance, utensil or receptacle which is used or intended to be used for weighing or measuring any article or commodity to be bought, sold, offered or exposed for sale within said City of Findlay, Ohio, unless previously authorized by the City Sealer of Weights and Measures so to do, shall be deemed guilty of violating the provisions of this ordinance.

SEC. 483. It shall be unlawful for any person or persons knowingly to use, or cause or keep to be used for measuring any article or commodity to be bought, sold, offered or exposed for sale within the said City of Findlay, Ohio, any measures, utensils or receptacles for measuring, which are liable to or do indicate false or inaccurate measure or which do not conform to the standards established by law, and in addition to the penalty prescribed by this ordinance it shall be the duty of the City Sealer of Weights and Measures to seize all such measures, utensils or receptacles, which are hereby ordered confiscated, and to destroy the same within twenty-four (24) hours after such seizure.

SEC. 484. It shall be the duty of the said Sealer of Weights and Measures to test all computing scales used within the City of Findlay, Ohio, at least once every six (6) months, and upon being notified in writing by any person that any such computing scale used for measuring or weighing and indicating the price or money value of any article being intended to be purchased or sold, or offered or exposed for sale within said City, is inaccurate or incorrect or believed to be so, or does not or is believed not to weigh or measure according to the standard prescribed by law, or not to give the correct weight for each and every price or money value indicated thereon, he shall at once examine and test the same. In examining and testing any such computing scale, the said City Sealer shall examine, test and prove such scale both as to its correctness in measuring and weighing and as to its correctness in giving the proper weight and measure for each and every price and money value indicated thereon.

SEC. 485. If, upon examination and test, such computing scale shall be found to both correctly measure and weigh according to the standards prescribed by law, and also give the correct measure and

weight for each and every price or money value indicated thereon, the said City Sealer shall seal, mark or stamp as provided in Section 481.

SEC. 486. The said Sealer shall not seal, stamp, or mark any computing scale which shall be found inaccurate or incorrect in measuring or weighing or which shall be found to give an incorrect weight or measure for any price or money value indicated thereon.

SEC. 487. The test of such computing scales may be made by said City Sealer at the place or places where the same may be used, and it shall be the duty of any person, firm or corporation, when called upon by said City Sealer to exhibit to him any computing scale used or intended to be used by him or them for weighing or measuring any article or commodity to be purchased or sold and to permit said City Sealer to examine, test, seal, mark or stamp the same.

SEC. 488. No person, firm or corporation shall use or permit to be used by any person in his, their or its employ any computing scale unless the same shall have been tested and sealed and marked, as herein required and no person, firm or corporation with intent to use the same when weighing or measuring as aforesaid, shall alter or permit to be altered, any such computing scale, after the same shall have been tested and marked or sealed as aforesaid.

SEC. 489. The term "computing scale" as used in this ordinance shall be deemed to include all scales and other implements or appliances for measuring or weighing commodities, which measure and indicate or record, at the time of such measuring or weighing, the price or money value of the article or commodity measured or weighed thereon.

SEC. 490. Every person, firm or corporation that is now or may hereafter be engaged in the business of delivering or selling and delivering ice within the City of Findlay, Ohio, shall furnish and securely place upon the rear end of each of its wagons used in the delivery of ice, one set of scales of at least one hundred and twenty-five (125) pounds capacity and shall cause each quantity of ice delivered to be weighed upon said scales at the time of delivery to a consumer, and the person delivering such ice shall, if requested by the purchaser, weigh the same in the presence of such purchaser or in the presence of some person designated by him.

SEC. 491. Each and every set of ice tongs used in the delivery of ice within said City of Findlay, shall have prominently and conspicuously stamped thereon the exact and true weight of said tongs.

SEC. 492. No person, firm or corporation shall deliver or sell and deliver any coal or coke within the City of Findlay, Ohio, unless the vehicle used for the delivery thereof shall have painted thereon the name of the dealer and some character or number to distinguish such vehicle from others owned or used by such dealer, and unless there shall be delivered to the person in charge of such vehicle a certificate written entirely with an indelible pencil or partly printed and partly written with an indelible pencil, duly signed by the person, firm, or corporation

selling such coal or coke, showing the weights of the coal or coke, purported to be delivered, the weight of such vehicle used in delivering the same, the date of the weighing and the name of the person to whom said delivery is to be made, which certificate shall be delivered by the person in charge of such vehicle to the purchaser of such coal or coke or to the person in charge of the premises where such delivery is to be made prior to the unloading of the same from said vehicle.

SEC. 493. No person in charge of the vehicle used in delivering coal or coke to whom the certificate mentioned in the preceeding section has been delivered shall refuse or neglect upon demand to exhibit said certificate to the Sealer of Weights and Measures, or to the Chief of Police or to any Policeman in uniform, and when said sealer of Weights and Measures or Chief of Police or Policeman in uniform shall demand that the weights shown by such certificate be verified, it shall be the duty of the person delivering such coal or coke to forthwith convey the same to some public scale of the City, if any such there be, or to any private scale in the City other than the scale owned or controlled by the seller of such coal or coke, where the owner thereof shall consent to such use, and to permit the verification of the weights shown by such certificate and shall, after the delivery of said coal or coke return forthwith to the same scale with the identical wagon used in delivering same and verify the weight of said vehicle. The cost of the use of such scale shall be paid by such officer, who shall be reimbursed for such expenditure by the Department of Safety.

SEC. 494. It shall be unlawful for any person, firm or corporation to fraudently or falsely represent the weight or measurement of any quantity of coal, coke or ice, delivered or sold and delivered by them within said City of Findlay, Ohio.

SEC. 495. The Department of Service of said City of Findlay, Ohio, shall provide the City Sealer of Weights and Measures with an office or headquarters where such weights, measures, scales, beams, steelyards, platform scales or other machinery or appliances, utensils or receptacles may be brought for the purpose of being tested, stamped, marked or sealed and said City Sealer shall be at said place at least one hour of each day for said purpose.

SEC. 496. It shall be the duty of the City Sealer of Weights and measures at the expiration of his term of office to forthwith turn over to his successor in office or in the event that no successor should be appointed, then to the Director of Service of the City of Findlay, all property of whatever kind, character or nature pertaining to said office and belonging to the City of Findlay, which may have at any time come into his possession or custody.

SEC. 497. Any person or persons, firm or corporation violating any of the provisions of Section 478 to 496 inclusive of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not less than Five Dollars (\$5.00) nor more than Fifty Dollars (\$50.00).—*Vol. D, Page 307.*

CHAPTER XXXVIII.

REPEALS.

SECTION 498 Ordinances which conflict or are inconsistent or of which this ordinance is amendatory.

SECTION 499 Foregoing ordinance construed.

SEC. 498. All the general ordinances of the City of Findlay, Ohio, or parts thereof so far as they conflict or are inconsistent with the provisions of this ordinance and the Laws of the State of Ohio, and all ordinances or parts of ordinances of which this ordinance or any section thereof is amendatory, be and the same are hereby repealed.

SEC. 499. Nothing in this section however shall be construed to effect rights or liabilities either for or against the City of Findlay, Ohio, existing at the time of the taking effect of this ordinance and no suit, prosecution, or proceeding pending at the time of the taking effect of this ordinance shall be in any manner affected by its adoption or taking effect, but all rights and remedies shall be as fully preserved and enforced as though this ordinance had not been adopted.

CHAPTER XXXIX.

CURB AND MARKET PLACES.

SECTION 500 Establishing.

SEC. 500. That a space 15 feet in width measured at right angles to the curb be set apart on the south side of West Main Cross street from the roadway thereof from the West line of the sidewalk on the West side of Main street to the east line of the sidewalk on Court Place and is hereby established as a market place.

That a space 15 feet in width measured at right angles to the curb be set apart on the East side of Court Place from the roadway thereof, from the South line of West Main Cross street South to the South line of the Court House and is hereby established as a market place.

That a space 15 feet in width measured at right angles to the curb be set apart on the North side of Court Place from the roadway thereof, from the West line of the sidewalk on the West side of Main street west to the East line of the sidewalk on Court Place and is hereby established as a market place.

That an ordinance passed on the 20th day of August, 1896, granting the use of the south side of West Main Cross street along the Court House grounds to the expressmen be and the same is hereby repealed.

RULES GOVERNING CURB MARKET PLACE.

Time for holding market Wednesday and Saturday of each week from 3 to 9 o'clock p. m. Curb to be measured and marked in eight foot spaces, commencing at the west side of Main street on the south side of the Court House square, beginning with number one, and running thence west to the southwest corner and thence North as far as

practical on the West side of the Court House, and that the space on the North side of the Court House be left open and un-numbered at present.

That these spaces be rented to persons who raise their own articles offered for sale, at ten cents per week; to Hucksters and persons who buy and sell country produce of any kind, at fifty cents per week; persons who sell their own produce and also buy from others and sell, at twenty-five cents per week; to Butchers who reside in the City of Findlay at fifty cents per week; to persons who reside outside of the City offering meat for sale, One Dollar and Fifty cents per week.

That a Market Master be appointed, whose duties may be as prescribed by Council, among which he (1) assign the spaces to the different applicants and that he collect the rental therefor. (2) That he declare the Market be opened and closed at the time herein specified therefor, (3) that he shall see that no unsanitary, impure or unfit meats or vegetables are offered for sale, and that all weights and measures used are up to standard, and that he promptly report any defect in quality of goods offered, as stated above, to the Board of Health, and any defect in weight or measure to the Sealer of Weights and Measures.

That for his services as Market Master he be paid such part, or all, of the receipts from the rental of market spaces as may hereafter be determined by Council.

CHAPTER XL.

TIME OF TAKING EFFECT.

SECTION 501 Shall become effective when.

SEC. 501. This ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed Dec. 29th, 1911.

(Signed) M. M. CARROTHERS,
President of Council.

Attester J. C. EDIE, Clerk of Council.

Approved Dec. 30th, 1911,
E. L. GROVES, Mayor.

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FRANCHISE TO DAVID KIRK TO LAY GAS MAINS, ETC.

An ordinance to grant David Kirk permission to use the streets and alleys of Findlay for laying mains to carry natural gas and supply the same for public and private use and consumption:

(Passed January 8, 1886.)

SEC. I. Be it ordained by the Council of the Village of Findlay, That permission and privilege be, and the same hereby is granted to David Kirk, his heirs and assigns, to lay gas mains and pipes from his gas well in East Findlay along, through and across the streets, alleys and sidewalks of said Village of Findlay for conveying gas to the citizens thereof for public and private use and consumption; Provided however, and this grant is made upon the conditions and limitations to-wit: First, That said David Kirk, his heirs and assigns, shall execute to the Village of Findlay his bond in the sum of ten thousand dollars, with sureties to the approval of the Council, conditioned to save and indemnify said Village free and harmless from all loss, damage and liability of said Village, or to other persons, arising in any way from or by reason of this grant so made and from the use or supply of such gas or the laying of said mains or pipes.

Second. That said Kirk in laying such mains or pipes or otherwise shall not in any way hinder, interfere with or obstruct public travel or convenience.

Third, That said Kirk shall not interfere with, damage or break any main, pipe, sewer or drain heretofore made, laid or constructed, and shall pay and make good all such injury or damage caused by him or his agents, servants or employees.

Fourth, That said Kirk shall, when excavations are made, restore the street, alley or sidewalk to the same condition as before such excavation, and upon failure so to do for twenty-four hours such restoration shall be done by the Village at the cost of said Kirk.

Fifth, That the mains and pipes so used shall be of standard quality and suitable and safe for the conveyance of natural gas.

Sixth, That this grant is made subject to the Statutes of Ohio now in force or hereafter to be enacted, and the rules, regulations and ordinances of said Village now in force or that may hereafter be enacted for the regulation of gas companies or the supplying of gas for public or private use or consumption.

AN ORDINANCE.

Granting the privilege to James W. Kirkbride and Edmond C. Taylor to lay and maintain mains and pipes in the streets, alleys and public grounds of the City for the purpose of conveying and supplying natural gas for the sale in the city, and to fix the price thereof. Be it ordained by the Council of the City of Findlay, Ohio.

SEC. 1. That permission be and the same is hereby granted to James W. Kirkbride and Edmond C. Taylor, their heirs and assigns, to lay and maintain mains and pipes in the streets, alleys and public grounds not less than thirty inches below the surface for the purpose of conveying and supplying natural gas for sale, for fuel, heat and light in said City and to make the necessary excavations therefore, together with the necessary regulators, street boxes, valves, etc., and permission to alter and keep the same in repair; provided that no mains or pipes shall be laid along any paved street, or any part thereof, unless the owners of a majority of the foot front along such street or part thereof, shall consent thereto in writing.

SEC. 2. That said grantees shall from time to time upon request of the Council, or City Civil Engineer, file with said Engineer an accurate map showing the location and size of any and all mains, pipes and regulators, street boxes, valves, gauges and other apparatus placed, or proposed to be placed under this franchise.

SEC. 3. That said grantees in laying, maintaining, altering or repairing of their said plant, or any part thereof, shall restore all streets, alleys and public grounds and improvements thereon, in through or across which the same shall be constructed to the same condition in which they found the same, to the satisfaction of the Board of Improvements. And in all cases where any mains or pipes are laid along or across any paved street, and where any alterations or repairs of same are made upon any paved street all excavations made shall be filled up and pavements replaced by grantees under the supervision and direction of the City Civil Engineer, to the end that said pavements shall be

restored to their former condition, and the failure upon the part of said grantees to so restore the streets, alleys and public grounds and improvements thereon, including paved streets, to their former condition within ten days after notice by the City so to do, the City may do the same and charge the cost and expense thereof to said grantees.

SEC. 4. That no sewer, gas or water pipe, drain or other lawful structure in or upon any street, alley or public ground of the City, shall in any manner be disturbed, detached, injured or interfered with by said grantees without special permission from The Board of Improvements in each instance so to do.

SEC. 5. That in no case shall the City be liable to the grantees for any damage done to main, pipe or other structure or improvement or any kind now or hereafter made by the City in the change of grade, or in the improvement of any street, alley or public ground in case the removal or relocation of any kind of said mains, pipes, etc., or apparatus, should become necessary in the opinion of the Board of Improvements and Council by reason of the change of grade or in the improvement of any street, alley or public ground, the same shall be done by grantees free of expense to the City, leaving the street, alley or public ground in its former condition, and if not done or if not properly done, the same may be done by the City at the cost and expense of said grantees.

SEC. 6. That said grantees shall furnish natural gas to all consumers so far as they may be able at a uniform rate for lighting and heating purposes, and at a uniform rate for manufacturing purposes but no discrimination shall be made between consumers of the same class, and no charge shall be made to exceed the sum, or rate of twenty-five cents (\$.25) per thousand cubic feet, which shall be the maximum price chargeable for such gas for the period of ten years from passage hereof, provided that said grantees, shall make a discount of five cents per thousand cubic feet to all consumers who shall pay on or before the tenth of the current month for gas consumed by them during the preceding month.

All charges for gas consumed shall be payable as above at the office of grantees established at some convenient place in the City.

SEC. 7. That said grantees shall begin the construction of their said plant under this ordinance with thirty days after its passage, legal publication, and acceptance by said grantees and shall construct and complete within one year from said time a complete low pressure, system of mains and pipes in said city, which shall consist of at least two miles of such low pressure mains and pipes from each voting ward of said city; and connect said low pressure system with their high pressure or field line system with all necessary regulators, and apparatus to reduce the pressure of said gas in low pressure mains to at least eight (8) ounces, and said grantees shall at no time furnish said gas in said City, under a higher pressure than eight ounces.

SEC. 8. That said grantees in order to avail themselves of the rights and privileges granted by this ordinance must agree to the same and place on file with the City Clerk within ten days from the passage hereof, a written acceptance of the terms and conditions embraced here-

in and also file with the City Clerk, within said time a good and sufficient bond in the principal of \$25,000.00 to be approved by the Council of said city, conditioned that said grantees shall and will, construct complete and maintain a natural gas plant in said City in accordance with the terms of this ordinance, that they will furnish said natural gas to the citizens of said City at the price herein stipulated for the period of ten years from the date of this ordinance and will comply with all the further stipulations and provisions of this ordinance.

SEC. 9. That this ordinance shall take effect and be in force for the period of twenty-five (25) years from the date of passage hereof.

Passed September 8, 1902.—*Vol. C, Pages 225-227.*

AN ORDINANCE.

Granting the privilege to James W. Kirkbride and Edmond C. Taylor to lay and maintain mains and pipes in the streets, alleys and public grounds of the City for the purpose of connecting and supplying natural gas for sale in the city and to fix the price thereof.
Be it ordained by the Council of the City of Findlay, Ohio.

SEC. 1. That permission be and the same is hereby granted to James W. Kirkbride and Edmond C. Taylor, their heirs and assigns to lay and maintain mains and pipes in the streets, alleys and public grounds not less than thirty inches below the surface for the purpose of conveying and supplying natural gas for sale for fuel, heat and light in said City and to make the necessary excavations therefore, together with the necessary regulators, street boxes, valves, etc., and permission to alter and keep the same in repair, provided that no main or pipe shall be laid along any paved streets or part thereof unless the owners of or a majority of the foot front of such street or part thereof shall consent thereto in writing.

SEC. 2. That said grantees shall from time to time upon request of the Council or City Civil Engineer file with said Engineer an accurate map showing the location and size of any and all mains, pipes and regulators, street boxes, valves, gauges and other apparatus placed or proposed to be placed under this franchise.

SEC. 3. That said grantees in the laying, maintaining, altering, or repairing of their said plant or any part thereof shall restore all streets, alleys, and public grounds and improvements thereon into or across which the same shall be constructed to the same condition in which they found the same to the satisfaction of the Board of Improvements and in all cases where any mains or pipes are laid along or across any paved streets, and where any alterations or repairs of same are made upon any paved street all excavation made shall be filled up and pavements replaced by grantees under the supervision and direction of the City Civil Engineer to the end and that said pavement shall be restored to their former condition, and a failure upon any part of said grantees to so restore the streets, alleys and public grounds and improvements thereon including paved streets to their former condition within ten days after

notice by the City so to do the city may do the same and charge the cost and expense thereof to said grantees.

SEC. 4. That no sewer, gas or water-pipes, drain or other lawful structure in or upon any street, alley or public ground of the City shall in any manner be disturbed, detached, injured or interfered with by said grantees without special permission from The Board of Improvements in each instance so to do.

SEC. 5. That in no case shall the City be liable to the grantees for any damage done in laying pipes or other structures or improvements or any kind now or hereafter to be made by the City in the change of grade or any improvement of street, alley or public ground in case the removal or re-location of any kind of said mains, pipes, etc., or apparatus should become necessary in the opinion of the Board of Improvements and Council by reason of the change of grade or in the improvement of any street, alley or public ground, the same shall be done by grantees free of expense to the City, leaving the street, alley or public ground in its former condition and if not done or if not properly done the same may be done by the City at the cost and expense of said grantees.

SEC. 6. That said grantees shall furnish natural gas to all consumers so far as they may be able at a uniform rate for lighting or heating purposes and at a uniform rate for manufacturing purposes, but no discrimination shall be made between consumers of the same class, and no charge shall be made to exceed the sum or rate of twenty-five cents per thousand cubic feet which shall be the maximum price chargeable for such gas for the period of ten years from the passage hereof, provided that said grantees shall make a discount of five cents per thousand cubic feet to all consumers who shall pay on or before the tenth day of the current month for the gas consumed shall be payable as above at the office of grantees established at some convenient place in the City.

SEC. 7. That said grantees shall begin the construction of their said plant under this ordinance within thirty days after its passage and legal publication and acceptance by said grantees and shall construct and complete within one year from said time, a complete low pressure system of mains and pipes in said City, which shall consist of at least two miles of such low pressure mains and pipes in each voting ward in said City and connect said low pressure system with their high pressure or field line system with all necessary regulators and apparatus to reduce the pressure of said gas in said low pressure mains to at least eight ounces and said grantees shall at no time furnish said gas in said City under a higher pressure than eight ounces.

SEC. 8. That said grantees in order to avail themselves of the rights and privileges granted by this ordinance must agree to the same and file with the City Clerk within ten days from the passage hereof a written acceptance of the terms and conditions embraced herein and also file with the City Clerk within said time a good and sufficient bond in the principal sum of Twenty-five Thousand Dollars, to be approved by the Council of said City conditioned that said grantees shall and will construct, complete and maintain a natural gas plant in said City in accordance with the terms of this ordinance that they will furnish said natural gas to the Citizens of said City at the price herein stipulated for

the period of ten years from the date of this ordinance and will comply with all the further stipulations and provisions of this ordinance.

SEC. 9. That this ordinance shall take effect and be in force for the period of twenty-five years from the date of the passage hereof.

Passed November 24, 1902.—*Vol. C, Pages 236-238.*

AN ORDINANCE.

Granting to the Citizen's Gas, Light and Heating Company, its successor or assigns, the privilege of laying, constructing and maintaining pipes in the streets, alleys, public places and grounds of the City of Findlay, Ohio, for the purpose of conveying and supplying Natural and Artificial Gas for fuel and lights to said City and the inhabitants thereof, and fixing the price to be charged for Natural Gas.

Be it ordained by the Council of the City of Findlay, Ohio.

SEC. 1. That the permission be and same is hereby granted to the Citizen's Gas, Light and Heating Company, its successors or assigns, to lay, construct and maintain pipes and mains in and through the streets, avenues, alleys and public grounds within the limits of the City of Findlay, Ohio, for the purpose of supplying Natural and Artificial Gas, or either, for fuel, heat and light, to said corporation and the inhabitants thereof, for public and private use; and to make all necessary excavations in said streets, avenues, alleys or public ground for the purpose of laying, constructing and maintaining such mains and pipes, and the necessary street boxes and valves and for altering and keeping in repair the same.

SEC. 2. Provided that the rights and privileges herein granted are upon the expressed provisions and stipulations following, to-wit:

1. That said, The Citizen's Gas, Light and Heating Company, its successors or assigns, shall from time to time, whenever requested by the City Civil Engineer, or ordered by the Council both before and after beginning work, file in the office of the City Engineer an accurate map showing all the streets, avenues, alleys and public grounds in which its pipes are laid, or to be laid, showing their location and size, together with all street boxes, safety valves, gauges and apparatus of any kind.

2. That all work done in laying pipes or mains in or across any street or avenue of said City that is now paved or which may be hereafter be paved or in altering, repairing or improving such gas plant in such manner as to require the removal or disturbance of any such pavement, shall be done and performed by said The Citizens' Light, Gas and Heating Company, its successors or assigns, under the supervision of the Board of Improvements and the City Civil Engineer of the City of Findlay, Ohio; and all pavements removed, altered or disturbed by said The Citizen's Gas, Light and Heating Company, its successors or assigns, shall be by it or them replaced, reconstructed and repaired under like supervision, in such manner as to make said pavement in as good condition and repair as the same was in before such laying, removing, altering or disturbing and all and every expense thereof including the

cost of the services of said Civil Engineer, shall be paid by said The Citizens Gas, Light and Heating Company, its successors or assigns.

3. That any and all pavements, sidewalks, cross-walks, curb-stones, gutters, streets, avenues, alleys, and public grounds or any portion thereof, displaced, disturbed or injured, in any manner, by said, The Citizen's Gas, Light and Heating Company, its successors or assigns, in laying, repairing or maintaining pipes, street boxes and valves shall immediately be restored, replaced and repaired by said The Citizens Gas, Light and Heating Company, its successors or assigns, and put in as good condition or repair as the same were in before being disturbed.

4. In case said The Citizen's Gas, Light and Heating Company, its successors or assigns, fail to repair, restore or replace any pavement, sidewalk, cross-walk, curb-stone, gutter, street, avenue, alley or public ground displaced, disturbed or injured as set forth in paragraphs two and three therein within ten days after notice is served upon said, The Citizen's Gas, Light and Heating Company, its successors or assigns, by the Board of Improvements or other proper officer of the City of Findlay, then the City of Findlay, by its officials, is hereby authorized to repair, replace or restore the same as the case may require, at the expense of said The Citizen's Gas, Light and Heating Company, its successors or assigns, and upon presentation of a certified bill for the expense incurred thereby the said Citizen's Gas, Light and Heating Company, its successors or assigns, shall pay such expense, on the order of the Board of Improvements to the City of Findlay, Ohio.

5. That no sewer, gaspipe, water pipe, drain, or other lawful structure in or upon any street, avenue, alley or public ground of said City (except those owned by said The Citizen's Gas, Light and Heating Company, its successors or assigns) shall in any manner be disturbed, injured or interfered with by said The Citizen's Gas, Light and Heating Company, its successors or assigns, without special permissions from the Board of Improvements in each instance.

6. Nor shall the City be liable to said The Citizen's Gas, Light and Heating Company, its successors or assigns, for any injury or damage to the pipe or other structure caused by or in consequence of any structure, or any improvement of any kind, now existing, or hereafter made, by the City or by reason of a change of grade of any street, or in case in the judgment of the Board of Improvements and City Council a removal or re-location of any of the pipes or other fixtures of said The Citizen's Gas, Light and Heating Company, its successors or assigns is made necessary by reason of any City improvement, or work, or change of grade of any street, such removal or re-location shall be made by said The Citizen's Gas, Light and Heating Company, its successors or assigns, at its own expense; and if not promptly done by it, then to be done by the City of Findlay at the expense of said The Citizen's Gas, Light and Heating Company, its successors or assigns, upon the conditions herein specified.

SEC. 3. Said The Citizen's Gas, Light and Heating Company, its successors or assigns, shall furnish and supply Natural Gas for fuel and lights to all consumers so far as it or they may be able at a uniform rate or price for domestic purposes, and at a uniform rate or price for

manufacturing purposes, but no discriminations shall be made between consumers of the same class.

Provided that in a case of an unavoidable shortage in the supply of Natural Gas said The Citizen's Gas, Light and Heating Company, its successors or assigns, shall not furnish said gas for manufacturing purpose until the demand for said gas for domestic use is fully satisfied, and in no event shall gas be furnished for manufacturing purposes in such quantities as to cause a shortage among domestic consumers.

SEC. 4. That for the period of one year from the 1st day of November, 1898, said The Citizen's Gas, Light and Heating Company, its successors or assigns, may charge for Natural Gas furnished to the Citizens of Findlay and to the public buildings, Council chambers, offices, court rooms, stations, engine houses, etc., for domestic use, the sum of twenty-five cents (\$.25) per thousand cubic feet; and from and after the 1st day of November, 1899, said The Citizen's Gas, Light and Heating Company, its successors or assigns, may charge for all Natural Gas as aforesaid the sum of Thirty Cents (\$.30) per thousand cubic feet; all charges for gas consumed shall be payable at the office of the Citizen's Gas, Light and Heating Company, its successors or assigns, in the City of Findlay, Ohio, on or before the 10th day of the month following its consumption and said The Citizen's Gas, Light and Heating Company, its successors or assigns, shall in no event charge for gas consumed prior to the 1st day of November, 1899, more than Twenty-five (\$.25) cents per thousand cubic feet, nor more than Thirty Cents (\$.30) per thousand feet for gas consumed after said date, unless authorized by lawful regulation of the Council of said City.

And provided further, that The Citizen's Gas, Light and Heating Company, its successors or assigns, shall allow all consumers of gas a discount of five cents (\$.05) per thousand feet from said price so fixed, on all bills paid on or before the 10th day of the month following the consumption of the gas charged for in such bill, leaving the net price to consumers Twenty Cents (\$.20) from November 1st, 1898, to November 1st, 1899, and Twenty-five Cents (\$.25) after November 1st, 1899.

In case artificial gas is furnished under this franchise the same shall be of standard quality, 16 candle power and furnished under such regulations as the Council may from time to time prescribe.

SEC. 5. That said The Citizen's Gas, Light and Heating Company its successors or assigns, before commencing business in said City under this grant, or as soon thereafter as is practicable shall make and file with the City Clerk a schedule which shall contain the price which said The Citizen's Gas, Light and Heating Company, its successors or assigns, shall charge for supplying gas to consumers, also a schedule of regulations governing the delivery and consumption of gas, which regulations shall be uniform in operation, also the form of contract with consumers.

Said The Citizen's Gas, Light and Heating Company, its successors or assigns, may at any time file new schedules of prices but the right to file such schedules shall not be held to exempt said The Citizen's Gas, Light and Heating Company, its successors or assigns, from the operation of any statute of the State now existing, or hereafter to be enacted, concerning the price of Natural or Artificial Gas, provided,

however, that at no time shall said The Citizen's Gas, Light and Heating Company, its successors, or assigns fix, collect or charge a greater rate to any consumer than that heretofore provided for.

SEC. 6. All new pipes, mains, and apparatus of any kind, laid or located by said The Citizen's Gas, Light and Heating Company, its successors or assigns, shall be of a standard quality, and said The Citizen's Gas, Light and Heating Company, its successors or assigns, shall place and lay all pipe and mains used for the purpose of carrying, transporting and supplying gas at a depth of not less than thirty (30) inches below the surface of such streets, avenues, alleys, or public grounds, unless the Board of Improvements shall otherwise order.

SEC. 7. That said The Citizen's Gas, Light and Heating Company its successors, or assigns, shall fully protect, indemnify and save harmless the City from any and all actions, damages, losses, costs, charges, and expenses of any kind made, suffered or incurred, in any manner, by reason or in consequence of or arising from, or connected with the use and occupation of any street, avenue, alley, or public ground in said City, or resulting from the excavating of any street, alley or public ground, or any material therein, or any work therein, or from the use, effect or explosion of gas in any of the mains or pipes after the same are laid, or by any other reason connected with the operating thereof, and in case the City shall be compelled to pay any person or persons, corporation or co-partnership for any loss, injury or damages to any person of property, caused by said gas or the operation of said gas plant, the same shall be fully paid or re-imbursed to the City by said The Citizen's Gas, Light and Heating Company, its successors or assigns, with all costs and expenses connected therewith or arising therefrom.

SEC. 8. Before said The Citizen's Gas, Light and Heating Company, its successors or assigns, shall avail himself, or themselves, of the provisions of this ordinance he shall file with the City Clerk written acceptance of all of the terms, provisions, restrictions, requirements and regulations of this ordinance, which said acceptance shall be filed by said The Citizen's Gas, Light and Heating Company, its successors or assigns, immediately upon the completion of the purchase of said The Citizen's Gas, Light and Heating Company, its successors or assigns, of the Natural Gas Plant now owned by the said City, and a failure to so file said acceptance, as herein provided, shall render this ordinance null and void and no effect.

SEC. 9. The violation by the said The Citizen's Gas, Light and Heating Company, its successors or assigns or any of the terms of this ordinance or any of the terms or conditions of the written proposition of William B. Cutter as presented to the Board of Trustees of Gas Works of said City, and by them modified on November 3rd, 1898, and excepted as modifiers, for the purchase of the Natural Gas Plant now owned by the City of Findlay, Ohio, shall work a forfeiture of all rights of the said The Citizen's Gas, Light and Heating Company, its successors or assigns, under the terms of this ordinance, and all of the rights herein granted shall then terminate at the option of the city of Findlay, Ohio.

SEC. 10. That the ordinance entitled "and ordinance granting to The Citizen's Gas, Light and Heating Company, its successors or assigns,

the privilege of laying, constructing and maintaining pipes in the streets, alleys, public places and grounds of the City of Findlay, Ohio, for the purpose of conveying and supplying Natural and Artificial Gas for fuel and lights to said City and the inhabitants thereof, and fixing the price to be charged for natural Gas," passed December 19th, 1898, be and the same is hereby repealed.

SEC. 11. This ordinance shall take effect and be in force from and after its passage and legal publication.

Passed February 20th, 1899.—*Vol. C, Page 15.*

AN ORDINANCE.

Granting the Logan Natural Gas and Fuel Company, a corporation duly organized under the Laws of the State of Ohio, its successors and assigns, the right to lay, maintain, operate, repair and remove mains and pipes in, through and under the streets, alleys and public grounds of the City of Findlay, Ohio, for the transportation and supply of natural or manufactured gas for fuel, heating and power purposes to the said City and its inhabitants, and fixing the price at which said gas shall be furnished for the period of ten (10) years.

Be it ordained by the Council of the City of Findlay, State of Ohio.

SEC. 1. That the Logan Natural Gas and Fuel Company, its successors and assigns, be, and they are hereby granted the right to enter upon the streets, alleys and public grounds of the City of Findlay, Ohio, to dig trenches and lay and bury therein, and to maintain, operate and repair mains and pipes, of such sizes as the said Company may require, for the transportation and supply of natural gas to the said City and inhabitants thereof for fuel, heating and power purposes only, together with the right to construct, maintain and repair all necessary regulators, valves, curb-boxes, safety appliances and other appurtenances.

SEC. 2. That all the work done in and upon any of the alleys or streets of the said City of Findlay, hereunder, shall be done to the satisfaction of the City Civil Engineer and the Board of Public Service, a plan of the lines proposed showing in what part of the streets said lines are to be laid, which plan shall be subject to the approval of said Board.

All trenches and ditches shall be dug, pipes laid therein and trenches and ditches closed in the shortest possible time within which the same can be done with skillfulness and safety. All such work shall be done so as to interfere as little as possible with the public use and travel over such alleys and streets. All the service pipe to the curb and curb boxes shall be put in at the expense of said company, and said company shall furnish and set a meter free of charge to each consumer of gas. All pipes and curb boxes shall be laid with reference to the established grade of the streets or alleys through which the same may be placed, unless permission to depart from said grade be granted by the City Civil Engineer and the Board of Public Service and in case the grade of the alley or alleys or street shall be hereafter changed, said company, its successors and assigns, shall cause its pipes to be relaid

in conformity with such change of grade at its own expense and shall not be entitled to any compensation or damage by reason of such change of grade. The main or mains and pipe or pipes of said company, its successors and assigns, shall be so laid as not to interfere in any way with any sewer, gas or water pipes, or the pipes of any other person, persons, company or corporation now owning or operating, or which may hereafter own or operate any system of pipes or mains for the transportation or mains for the transportation or distribution of natural or manufactured gas in said City, or the operation of any street railway, therein, or the pipes and conduits of any other person, persons, company or corporation lawfully laid in said alley or streets in said city, and whenever the City of Findlay shall determine to lay any sewer, water or other pipe in any alley or street occupied by the pipes of said company, its successors or assigns, or to change the location of the pipes and mains of said The Logan Natural Gas and Fuel Company, its successors and assigns, shall, at its own expense, lower, elevate, change or locate its said pipes or mains so as not to interfere with such sewer, gas, water or other pipes. There shall be no unnecessary or permanent obstruction of said alleys or streets. When said mains or pipes are laid in the streets of said City, they shall be laid between the curb and the sidewalk in the parking, where it is practicable and possible, and therein where the City Civil Engineer and the Board of Public Service shall direct. If, however, in the opinion of the City Civil Engineer and the Board of Public Service, it is impracticable to lay such pipes or mains between the curbing and the sidewalk, the same shall be laid in the street or alley, and if it be a paved street, then at such place in the street or alley as may be directed by the City Civil Engineer and the Board of Public Service. Said company, its successors and assigns, shall in no event, without written consent of the City Civil Engineer and the Board of Public Service, in laying its pipes in any of the paved streets, cross such streets excepting at street intersections. This provision applies to mains; and no service shall be laid across a paved street. The said, The Logan Natural Gas and Fuel Company, its successors and assigns, shall carefully guard and protect all the alleys and streets entered and opened, so as to prevent injury to person or property, while said work is being prosecuted and said alleys or streets shall be returned as nearly as possible to their former condition of usefulness, without delay and it shall be done subject to the approval of the City Civil Engineer and the Board of Public Service.

SEC. 3. The said, The Logan Natural Gas and Fuel Company, its successors and assigns, shall do all the refilling, puddling, paving and repaving made necessary by reason of the construction, operation, abandonment or repair of the mains or pipes in, through and under the alley or streets of said City, under the direction and to the satisfaction of the City Civil Engineer and the Board of Public Service. In case the said company, its successors and assigns shall fail to refill any excavation made by it in the construction, operation or abandonment of its line or lines, or other appurtenances, on any of the alleys or streets, or shall fail or neglect to make any repairs that may be necessary by reason of the construction, operation or abandonment of its said line or lines, or to restore any street or alley to its former condition of useful-

ness, the said City Civil Engineer of Findlay, Ohio, may, after ten (10) days notice to said company, its successors and assigns, at its office in Findlay, Ohio, do such work and make such repairs as may be deemed necessary, and the necessity of the same to be determined by the City Civil Engineer, and the cost and expense of the same shall be paid to the said City by the said, The Logan Natural Gas and Fuel Company, its successors and assigns, within ten (10) days from the date of the presentation of said bill. Upon failure of said Company to pay such bill, the City Civil Engineer shall cause the same to be certified to the County Auditor to be by him placed on the tax duplicate against said company, its successors and assigns, for collection. In the construction, maintenance, operation, abandonment and repair of any of said mains, pipes or line, The Logan Natural Gas and Fuel Company, its successors and assigns, shall comply with all regulations existing, or which may hereafter be made by said city, and shall be liable for any damage that may arise by reason of the failure or neglect of said company, its successors or assigns, to comply with such regulations, and to save and keep the City of Findlay, free and harmless from any and all claims and damages by reason of said failure and neglect.

SEC. 4. The said, The Logan Natural Gas and Fuel Company, its successors and assigns, shall indemnify the City of Findlay, Ohio, and inhabitants thereof, from and protect and save them free and harmless against all damages, losses, costs and expenses arising from any accident or explosion including damages due to high or low pressure during the construction, operation and maintenance or abandonment of said system of pipes, arising from or caused by the fault or negligence of said, The Logan Natural Gas and Fuel Company, its successors and assigns. The said, The Logan Natural Gas and Fuel Company, its successors and assigns, shall further fully protect, indemnify and save harmless the said City of Findlay from any and all claims, damages, losses, costs, charges and expenses of every kind and nature made, suffered or incurred in any manner by reason of or connected with the use and occupation of said alleys and streets, or resulting from the excavation of any of such alleys or streets, or any material therein, or from the use, effect or explosion of gas of any of the mains or pipes so laid, or by any reason connected with the operation thereof, or if any costs or expenses shall be incurred by said City, by reason of the abandonment of pipes or fixtures of any kind, and in case said City shall be compelled to pay any person, persons, company or corporation for any loss, injury or damage to persons or property as aforesaid, the same shall be fully paid or reimbursed to said City with all the costs and expenses connected therewith or arising therefrom, and the same shall be binding upon said company, its successors and assigns, shall hold the City of Findlay, free and harmless from payment of any judgment rendered or claims described herein.

SEC. 5. If the said, The Logan Natural Gas and Fuel Company, its successors and assigns, fail, neglect or refuse to supply natural gas as herein provided, within four (4) months after the acceptance of this ordinance, or to begin the work of laying pipe hereunder within the time specified herein, or to lay the amount of pipe herein agreed to be laid before January, 1904, the right, privilege and franchise hereby granted,

shall be forfeited, and the same shall become null and void at the option of the Council of the City of Findlay.

SEC. 6. The said, The Logan Natural Gas and Fuel Company, its successors and assigns, shall for a period of ten (10) years after the passage and acceptance of this ordinance be entitled to charge for such gas furnished to the said City and the inhabitants thereof, not more than thirty-three (33) cents per thousand cubic feet for natural gas for the first four years, and not more than thirty-nine (39) cents for the succeeding six years, subject to a discount of three (3) cents per thousand cubic feet from the same if paid within ten (10) days after it becomes due, at the office of the said company; provided, however, that said Company, its successors and assigns may charge a minimum rate of twenty-five (25) cents per month for service; said minimum rate to be deducted from monthly gas bills when the same are in excess of twenty-five (25) cents, and which shall be the only charge when gas bill is for less amount.

SEC. 7. The said, The Logan Natural Gas and Fuel Company shall begin laying pipe in the City of Findlay, Ohio, within sixty (60) days after the acceptance of this ordinance; and shall have laid not less than ten (10) miles of pipe in said City before January 1, 1904, and shall have laid a pipe line not less than ten (10) inches in diameter to said City of Findlay from present main supplying Tiffin and Fostoria, before November 1, 1903.

SEC. 8. The said, the City Council of Findlay, Ohio, hereby expressly reserves to itself the right to grant the right through, in, under and upon the said alleys and streets of said City for the laying and maintenance and use of pipe and mains of any other person, persons, company or corporation for a similar or other purpose and the granting of similar right to any other person, persons, company or corporation.

SEC. 9. The said, The Logan Natural Gas and Fuel Company, its successors and assigns, shall during the life of this franchise pay to said City the sum of Three Hundred Dollars in cash on the 1st day of July of each year after the acceptance of this ordinance by said Company.

SEC. 10. The said, The Logan Natural Gas and Fuel Company, its successors and assigns, shall within (30) days after the passage of this ordinance, file with the Clerk of the Council of said City its written acceptance over its corporate seal, of the terms and provisions of this ordinance, and shall also file at the same time a good and sufficient bond in the sum of Ten Thousand (\$10,000) Dollars, to be kept constantly on file during the life of this franchise with said clerk, to be signed by some Indemnity Company, to be approved by the City Council, and conditioned upon the faithful performance of the terms, conditions, and obligations of this ordinance; and a failure to so keep such bond on file shall work a forfeiture of this franchise at the option of the City Council.

SEC. 11. This ordinance shall take effect and be in force from and after its passage and legal publication, and the acceptance of the same by the said, The Logan Natural Gas and Fuel Company, its successors

and assigns, as herein provided, and the filing with the said Clerk of the bond as set out herein, and the payment of the costs of publication.

Passed June 22, 1903; Approved July 1, 1903.—*Vol. C, Page 290.*

AN ORDINANCE.

To grant to the Hancock Light and Power Company, the privilege to use the streets, alleys highways and public grounds of the City of Findlay, to transmit electricity to the citizens of said city, for heat, light and power for public and private use and consumption.

SEC. 1. Be it ordained by the Council of the City of Findlay, that permission and privilege be, and hereby is, given and granted to the Hancock Light and Power Company, a corporation duly incorporated and organize under the laws of Ohio, its successors and assigns, to use and occupy the streets, alleys, avenues and public ways in said City for conveying and transmitting electricity for light, heat and power to the inhabitants of said City, and for private and public uses and consumption either by placing poles upon and along said streets, alleys and avenues, and stringing wires along and upon the same or by underground wires.

SEC. 2. If poles are used the same shall be not less than 20 feet in height above ground, placed at such points as the Board of Improvements shall direct, and under their supervision. All poles shall be securely planted, of symmetrical shape and pointed; they shall be so planted and all wires stretched, maintained and operated in a safe and proper manner, and as not to interfere with or obstruct public convenience or travel, or any public or private right; and the City shall have the right to use said poles for police and fire alarm purposes whenever by the Council deemed necessary for the public welfare.

SEC. 3. The operation of circuits erected hereunder shall not interfere indirectly or otherwise with other wires and distance of at least four feet shall be maintained wherever practical.

SEC. 4. This grant shall not continue or endure to said grantees or assigns as a vested franchise for a term longer than twenty-five years from the date of the enactment of this ordinance and during said term, said grantee and assigns shall operate its plan, in a safe and careful manner, and all machinery and materials used shall be the best of its kind.

SEC. 5. This ordinance shall take effect and be in force from and after ten days after its first publication.

Passed February 29, 1892.—*Vol. B, Page 238.*

FRANCHISE FINDLAY PIPE LINE CO., TO LAY PIPE.

An ordinance to grant to the Findlay Pipe Line company permission to use certain streets and alleys therein designated within the Village of Findlay for transmitting petroleum.

(Passed April 30, 1886.)

SEC. 1. Be it ordained by the Council of the Village of Findlay that permission be and the same hereby is granted to the Findlay Pipe Line company to lay a line or lines of pipe under, along and across Liberty street in said Village and such streets and alleys west of Liberty street and south of Elm street as are not macadamized or improved, for the sole and exclusive purpose of transmitting petroleum only and no other substance from any and all oil wells in Hancock County, Ohio, to the tank or tanks of said company at or near Findlay and not elsewhere, and from such tank or tanks to the depots or other shipping points of all railroads within said village for shipment, including also the privilege to cross any macademized street where necessary to reach said tanks or place of shipment; provided however and the above grant is so made upon the terms and conditions following to-wit: That in making excavations for and in laying such pipes and transmitting oil, the said grantees shall not hinder, obstruct or interfere with public convenience or travel or any public or private right. That in laying such pipes all streets and alleys along or wherein such excavations are made, shall be at once restored to the same condition as before such excavation, and the excavation be filled and the earth thoroughly packed and tamped as the work progresses. That all openings and excavations shall be securely guarded so as to prevent accident and injuries. That said grantees shall be liable for all injuries and damage arising or resulting from the laying of such pipes or transmission of oil and from the acts of its officers, servants, agents and employees. That said Grantee shall not transmit through such pipes nor along, under or across any street, alley or public ground within said Village nor from said Village, any natural gas or other substance other than petroleum, but the same is hereby prohibited, and such violation of the terms of this grant shall be and operate as a forfeiture of all the franchises and privileges hereby granted, and the Village may by ordinance repeal this ordinance and by ordinance prohibit all acts thereunder. That the tanks if located within the incorporate limits of the Village be located at such point or points as shall meet with the consent and approval of the Council and not elsewhere, and such approval shall be obtained before such tanks are located and erected.

FRANCHISE TO BUCKEYE PIPE LINE CO.

An ordinance to grant to the Buckeye Pipe Line Company permission to use certain streets and alleys therein designated within the village of Findlay for transmitting petroleum, oil and water.

(Passed July 23, 1886.)

SEC. 1. Be it ordained by the Council of the Village of Findlay that permission be and the same hereby is granted to the Buckeye Pipe Line Company to lay a line or lines of pipe under, over or along such streets and alleys as lie west of a line parallel with the west line of Western street and south of Elm street as are not macadamized or improved and such other north of the Blanchard river west of Cory street as are not macadamized or improved for the sole and exclusive purpose of trans-

mitting petroleum oil and water and no other substance from any and all oil wells in Hancock County, Ohio to the tank or tanks of said company at or near Findlay and not elsewhere; provided however, and the above grant is made upon the terms and conditions following to-wit:

That in making excavations for and in laying such pipes and transmitting oil or water the said grantee shall not hinder, obstruct or interfere with public convenience or travel or any public or private right.

That in laying such pipes all streets and alleys along or where excavations are made shall be at once restored to the same condition as before and such excavations refilled and the earth thoroughly packed and tamped as the work progresses.

That all openings and excavations shall be securely guarded so as to prevent accidents and injuries.

That said grantee shall be liable for all injuries and damages arising or resulting from the laying of such pipes or transmission of petroleum oil and water, from the acts of its officers, servants, agents or employees.

That said grantee shall not transmit through such pipes nor along, under, across or over any street, alley or public grounds within said village by authority of this ordinance or otherwise any natural gas or other substance through such pipes other than petroleum oil and water; but the transfer of any other substance through such pipes other than petroleum oil and water is hereby prohibited and the transmission through such pipes of any other substance shall be considered a violation of the terms of this grant and operate as a forfeiture of all the franchises and privileges hereby granted and then the said Village may by ordinance repeal this ordinance and by ordinance prohibit all acts thereunder.

That the tanks, if located within the corporate limits, of the village, be located at such point or points as shall meet with the consent and approval of the Council and not elsewhere and such approval shall be obtained before such tanks are located and erected.

AN ORDINANCE.

To grant permission to use the streets and alleys of Findlay, Ohio, for the purpose of laying pipes for a steam and hot water plant and to supply steam and hot water for public and private consumption. Be it ordained by the Council of the City of Findlay, Ohio:

SEC. I. That T. H. McConica, his associates and assigns, is hereby granted the right to lay pipes with necessary fixtures and appliances thereto, and to construct valve boxes in the streets, alleys and public way of said City for the purpose of supplying and furnishing heat by hot water and steam to public and private buildings and to manufacturers and other users of heat within the City of Findlay, Ohio, and with such purpose in view there is hereby granted to the said T. H. McConica and his associates and assigns, the right to make such excavations upon the unpaved streets, alleys and public ways of the City of Findlay, and upon such paved streets of the said City as the Board of

Improvements may designate for the purpose of laying pipes and to make the necessary repairs and extensions.

SEC. 2. While the said heating plant is in process of construction and during the maintenance thereof, there shall be no unnecessary and unreasonable obstruction or excavation of any street, alley or public way of said City, and the grantee, his successors and assigns, are hereby required without unreasonable delay to replace the earth and other substances removed in making such excavation. And in laying such pipes and in constructing the valve boxes, herein provided for and in constructing or maintaining and operating the said heating plant, the grantee, his associates, successors and assigns, shall in no way interfere with or change the existing pipes or mains of any other company or corporation occupying or using said street, without the written consent of such company or corporation, and no public sewer or water course shall be interfered with, without making full reparation therefore, and if the City shall, during the existence of this franchise, build any sewer the said grantee, his successors and assigns, shall make necessary changes in their pipes to accommodate the City in constructing the same. All sidewalks, crossings, gutters and pavements or any public street, alley or way that may be disturbed in the construction, maintenance or abandonment of said plant shall be fully restored and replaced in as good condition as before excavation or disturbance began, at the expense of said grantee, his associates and assigns, and if grantee, his successors and assigns refuse or neglect to repair any defect in any street, alley or crossing which was caused by them, within five days after said City notifies them of such defects, then this franchise shall be forfeited by said grantee, his successors and assigns.

And the said grantee, his successors and assigns shall execute to the said City of Findlay, Ohio, a good and sufficient bond in the sum of Five Thousand (\$5,000.00) Dollars conditioned upon this ordinance, that no operations shall be commenced under this ordinance until such bond has been given, approved and accepted by the City Council, and if said bond is not so filed within ninety days from the passage hereof, then this grant or franchise shall be null and void.

SEC. 3. Said grantee, his associates and assigns shall be responsible to, and shall save said City harmless from any claims, damages or suits or judgments or decrees resulting from or incurred in the construction, operation, abandonment or repair of said heating plant and shall settle and pay all costs, demands or attorney's fees which may result therefrom without cost to said City of Findlay.

SEC. 4. That the franchise or privilege herein granted shall be for a term of twenty-five years, unless forfeited by some of the provisions of this ordinance; and as a consideration therefore, the grantee, his successors and assigns, shall furnish sufficient heat for the City Hall (hereafter to be erected) without cost to said City during the whole time that the plant is in operation and the ordinance is in force.

That the prices charged for heat under this franchise shall be uniform as far as possible. That this franchise shall not be forfeited by any temporary failure to furnish heat, which may result from breakage of pipes or from any derangement of the said system, provided that repairs are made within a reasonable time.

SEC. 5. That the said grantee, his successors and assigns, shall under this franchise begin to construct a heating plant as herein provided within ninety (90) days, and have the same in operation within twelve (12) months after the passage of this ordinance or the same shall be void and of no effect; and after said plant is in operation a failure to furnish heat under this franchise for a longer period than sixty (60) days at any time, between the first day of October and the first day of June will be considered an abandonment of this franchise and the same shall be null and void. That said grantee shall have thirty (30) days after the passage of this ordinance to file with the City Clerk his written acceptance of the same.

SEC. 6. That this ordinance shall take effect and be in force from and after its passage and publication according to law.

Passed June 17, 1901.—*Vol. C, Page 162.*

AN ORDINANCE.

To grant to Charles Smith, his successors and assigns, the use of streets, avenues, alleys, lanes and public places in the City of Findlay, Ohio, to lay the pipe and drains under the surface thereof to be used for the purpose of supplying the inhabitants of said city with hot water or other improved article that may come into vogue and for furnishing said inhabitants with heat thereby.

SEC. 1. Be it ordained by the Council of the City of Findlay that subject to the terms and conditions hereinafter imposed, permission be and is hereby given to Charles F. Smith, his associates, successors and assigns, but for a term not longer than twenty-five (25) years, from the passage thereof to use the streets, avenues, alleys, lanes and public places within said City to lay pipes and drains under the surface thereof to be used for the purpose of supplying and transmitting to the inhabitants of said City and to the houses of the inhabitants and the public buildings of the City where desired, hot water, or such other improved power for furnishing heat as may come into vogue for the heating of such public and private buildings and supplying such hot water to the inhabitants for public and private use.

SEC. 2. All excavations shall be made under the inspection and with the approval of the Board of Improvements. All pipes laid shall be so laid and constructed as not to interfere with the lines or pipes of any other company or corporation or of the City of Findlay. In all cases pipe of the best quality and material shall be used and all work, labor and material shall be of first class quality and done in a good, workmanlike manner, satisfactory to the said Board of Improvements. In all cases as far as possible, and subject to the approval of the Board of Improvements, pipes shall be laid along the unpaved streets and alleys, but in all cases whatever excavations are made and pipes laid therein the trench so made shall be thoroughly flushed, tamped and the earth packed and the place where the excavation is made and the surface shall be restored and maintained in the same condition it was before the excavation was made; and in all cases where said pipes are

laid or excavations made, along or across any paved street the earth and macadamized stone shall be filled in and thoroughly flushed and tamped and the street and paving restored to the same condition it was before the excavation and to the approval and the acceptance of the Board of Improvements and City Engineer.

SEC. 3. Be it ordained further that while said pipes are being laid and the heating plant constructed, there shall be no obstruction nor delay in refilling the trenches made as soon as the pipes are laid, unless made necessary by unavoidable circumstances over which the grantee, his successors or assigns, would have no control, but all earth excavated shall be returned as above provided without any reasonable or unnecessary delay and no obstruction to public travel shall be permitted further than rendered necessary by the laying of the pipe and all sidewalks, crossings, gutter and pavements or any public streets, alley or way that may be disturbed by the construction, maintenance or abandonment of said heating plant, or the excavation for the laying of pipe shall be fully restored and replaced in as good condition as before the excavation or disturbance began, by the said grantee, his successors and assigns, and in the default thereof the same may be done by the City at the expense of the grantee, his successors and assigns, and to save the city harmless the said grantee, his successors and assigns, before commencing work or doing any excavation for the laying of pipe shall file with the Clerk of the City of Findlay his bond in the sum of Five Thousand Dollars with good and sufficient surety to the acceptance of the City Council, conditioned that the said grantee shall comply with all the conditions of this section and restore said streets, alleys and public grounds to the condition they were in before any excavation was made and save the said City free and harmless from any and all liability caused by any act or negligence upon the part of grantee, his successors or assigns, or their servants, agents, or employees.

SEC. 4. As a consideration for this franchise said Chas. F. Smith grantee aforesaid, his successors and assigns, shall pay to the City of Findlay annually a sum of money equal to two per cent (2%) of the gross earnings of said heating plant. The prices charged for heat under this franchise shall be uniform as far as possible. This franchise shall not be forfeited by any temporary failure to furnish heat which may result from breakage of pipe or from temporary derangement of the heating system provided that repairs are made within a reasonable time.

SEC. 5. The said grantee, his successors and assigns shall commence the construction of said plant within ninety days from the passage of this ordinance and have the same constructed and in operation supplying hot water, or its equivalent to the inhabitants of the City of Findlay for heating purposes within one year from the time operations are commenced.

SEC. 6. This ordinance shall take effect and be in force from and after the expiration of ten days after its first publication.

Passed July 22, A. D. 1901.—*Vol. C, Page 172.*

AN ORDINANCE.

Granting to the Findlay & Southern Railway, its successors and assigns, the right to occupy certain streets in the City of Findlay, Ohio.

SEC. 1. Be it ordained by the Council of the City of Findlay, Ohio that the Findlay & Southern Railway Company, its successors and assigns be and the same are hereby granted the right to enter upon West street in the City, beginning at the South Corporation line and extending north to the south side of Washington street, and to locate, construct and operate therein along the entire length of said street, or so much thereof as may be necessary by said Railway Co. for the maintenance of a single track with necessary switches, turnouts and spurs and the right to erect poles and supports for wires, and hang and maintain all necessary wires and feed wires and appliances for the operation and maintenance of street railways, but no such switch, spur, turnout, etc., shall be constructed and placed in any street without first having obtained the consent of the City Council in the matter of the location of the same.

SEC. 2. Such Railroad shall be operated only by electricity as a motive power, or such other inanimate power, other than steam as may come into general effect and successful use for such purposes.

SEC. 3. The track of said railroad shall be laid along the center line of said West street, and said track switches, turnouts and spurs, etc., shall be laid to the present grade of said West street, and if at any time the Council of said City of Findlay shall deem it necessary to establish or change the grade of said street, it shall have the right to do so, and shall not in any way be liable in damages to said grantee, its successors and assigns, by reason of such establishment or change and said grantee, its successors or assigns, hereby agree to raise or lower its tracks to conform with the grade of said street, if any change should be made within thirty days after receiving a notice so to do.

SEC. 4. All ties shall be sunk below the surface of the street, so that when the rails are laid, the top surface thereof shall be even with the surface of the street. All poles and supports for wires shall be located subject to the approval of the Board of Improvements of said City, and shall not be set in front of any driveway or gateway of any property owner but where practicable shall be set on dividing line of property, and in the setting of said poles, they shall be set on the curb line to the satisfaction of the Board of Improvements.

SEC. 5. Said grantee, his successors or assigns shall constantly keep in good repair, the space between their tracks and one foot additional on the outer side of the rail, and when said street shall be paved or otherwise improved by macadam or otherwise, said grantee, its successors or assigns, shall have to pave the space between such track, switch, turnout, etc. and one foot additional on the outer side of each rail with the same material and in the same manner as the rest of the street, and shall thereafter maintain the same in good condition to the approval of the Council, and a failure to do so, after a service of notice of the passage of the necessary resolution by the Council, providing for such improvement, the City may cause the same to be done at the expense of the said Findlay & Southern Railway Company, its successors

and assigns, and said City may certify the cost of said improvement to the County Auditor to be placed on the tax duplicate and collected as other taxes, and said expenses shall constitute a lien and charge upon the property, and franchise of said grantee, its successors or assigns, as in other municipal improvements.

SEC. 6. On all streets where sidewalks or pavements are disturbed in the construction of said railroad and its appurtenance, the said grantee, its successors or assigns, shall properly relay with the same kind of material, and shall restore said pavements or crossings in as good condition as they were in before said disturbance and where any paved streets are crossed which shall have been laid in concrete, the same shall be relaid in concrete in the same manner as the original, subject to approval of the Board of Improvements of said City.

SEC. 7. The entire work of the construction of said railroad shall be under the direction and supervision of the City Civil Engineer, as far as relates to or affects the condition of the streets and alley crossings and public ways of said City of Findlay, Ohio, and in all streets, the streets shall be put in good condition as fast as the tracks are laid and not more than one thousand feet of said street shall be torn out at any one time and no pavement shall be opened until notice has been given to the City Civil Engineer.

SEC. 8. The City shall have the right at any time without any liabilities to said Findlay & Southern Railway Company, to construct conduits and sewers, relay or repair gas, sewer and water pipes, mains, etc., in any of the said streets under said railway company's tracks, so authorized to be constructed at least twenty-four hours notice to be given by said City to said Railway of its intention so to do.

SEC. 9. Said Railway Company, its successors or assigns, shall at all times hereafter indemnify and save harmless said City from any and all claims for damages to persons, or property on account of the construction, maintenance of said railway in or across said streets.

SEC. 10. No cars shall be run upon said Railroad within said City from Lima street to the north end of said road at a greater rate of speed than six miles per hour and on other portions of said road within the corporate limits of said City at a greater rate of speed than fifteen miles per hour.

SEC. 11. Said grantee, its successors or assigns, shall commence the construction of said railroad within one year from the passage of this ordinance and shall have the same completed and in operation, south to the corporate limits of said City within two years from the passage of this ordinance and in default thereof this ordinance shall become null and void and be of no effect, and all rights herein granted shall be forfeited by reason of such failure, unless such time is extended by ordinance passed by the Council of the City of Findlay at least sixty days prior to the expiration of such limitation.

SEC. 12. The grants herein made shall take effect and constitute a franchise between said City of Findlay and said Grantee, its successors or assigns, as soon as it or they shall file with the City Clerk its or their written acceptance of the terms, conditions, stipulations and agreements herein contained, which acceptance shall be filed within thirty days from the passage hereof, and shall be recorded by the City Clerk and

in case such written acceptance shall not be filed within thirty days from the passage thereof, then all rights hereunder granted shall be forfeited at the option of the City Council.

SEC. 13. Said Findlay & Southern Railway Company shall keep and maintain lights at streets crossings of the same kind and class as are used by the City of Findlay, for street lighting and said lights shall be furnished by said City of Findlay to said Railway Company at the same price as is paid by said City of Findlay for lighting of streets, said lights to be located by said Council of City of Findlay at such crossings as the Board of Improvements may deem necessary and said railroad company shall pay to the City of Findlay, in monthly installments all bills accruing for the maintenance of lights at said street crossings.

SEC. 14. It is hereby agreed by said Findlay & Southern Railway Company with the City of Findlay, that for the privileges hereby granted, if said Findlay & Southern Railway Company shall consolidate with an other Electric railway within the limits of the City of Findlay, Ohio, said Findlay & Southern Railway Company or the Consolidated Company shall give transfers to passengers over all lines and roads owned by said Findlay & Southern Railway or Consolidated Company, and that one fare as charged by Findlay & Southern Company, shall be sufficient fare for the transportation of passengers over all other lines owned by said Findlay & Southern Railway or consolidated company within limits of the City of Findlay, Ohio.

SEC. 15. This ordinance shall take effect and be in force from and after its passage and publication according to law.

Passed July 29, 1901.—*Vol. C, Page 175.*

AN ORDINANCE.

To grant to The Findlay & Marion Electric Railway Company and their successors and assigns permission to construct, operate and maintain a street railroad within and beyond the corporate limits of the City of Findlay, Ohio.

Be it ordained by the Council of the City of Findlay, Ohio.

SEC. 1. That subject to the terms, conditions, provisions, stipulations and limitations hereinafter set forth permission is hereby granted to the Findlay & Marion Electric Railway Company, their successors and assigns, to construct, operate and maintain for a period of twenty-five years from the acceptance of this franchise, with the corporate limits of the City of Findlay, a street railway as part of an interurban railroad line between the City of Findlay and the City of Marion by the way of the Village of Carey over and upon the following streets in the City of Findlay to-wit: Over Main Cross street from Main stree to the intersection of McMannus avenue, over McMannus avenue from Main Cross street to Center street, over Bellevue street from its western terminus to the eastern corporate line of the City.

SEC. 2. Said grantees shall have the right to construct, operate and maintain all necessary sidetracks, switches, spurs, turntables, turnouts

and stations and to erect poles, hang and maintain all necessary wires, feed wires and all appliances necessary for the operation of such railroad, and all such appliances shall be located subject to approval of the City Council.

SEC. 3. This grant is made subject to all the terms, conditions, limitations, requirements and provisions of the General ordinance of the City of Findlay, passed May 3, 1887, entitled, "An Ordinance to establish Street Railway Routes within the village of Findlay" except in so far as said ordinance may be modified by the terms of this ordinance.

SEC. 4. The main track of said railroad shall be laid on the center line of said East Main-Cross street from Main street to the east side of the right of way line of the T. & O. C. R. R. and from thence on the south side of said street to the eastside of the Lye Creek and from thence on the north side of said Main Cross street to McMannus avenue and on McMannus Avenue the track shall be laid on the center line of said street to Bellevue street and said track shall be laid on the center line of Bellevue street. The said, The Findlay & Marion Railway Company are hereby required to construct and keep in repair the necessary bridges across Eagle Creek, Lye Creek and the Blanchard river in the City of Findlay, Ohio, and shall not be permitted to use any bridges heretofore constructed by the City of Findlay or which may hereafter be constructed by said City. The track, sidetrack, spurs, turnouts and all appurtenances and appliances thereto shall be so laid, constructed and operated as not to unnecessarily interfere with or injure the use of said streets for public travel.

SEC. 5. Said grantees shall keep that portion of said streets lying between the rails of the tracks of said railroad in good condition and repair, and if the City shall hereafter declare the necessity of repairing or otherwise improving said streets over which said road may be constructed, said grantees shall at their own cost improve that part of said streets lying between the rails of the track and one foot additional on each side of said railroad at the same time and in the same manner, and with the same character of materials as the balance of said street may be improved, and in default of so doing by the grantees on notice, The City of Findlay may cause the same to be done at the cost and expense of the grantees, and recover the cost and expense of such improvements from said grantees by suit at law or by the usual assessments against the said property of grantees as in other cases.

SEC. 6. The poles upon which the wires and appliances used in the operation of said railroad are attached shall be placed along the sidewalk space next to the curb, and so placed as not to interfere with the sewers, or sewer pipes, water pipes, gas pipes, or proper drainage of said streets, they shall be of either metal or wood, and if of wood, they shall be straight, smooth and of presentable appearance, and shall be painted; and all poles and wires shall be so constructed, operated and maintained as to cause no serious or unnecessary interference with the telephone or telegraph lines nor with the Fire or Police alarms, nor with the service or use of the same.

SEC. 7. Said grantees shall run cars upon said track daily, at least one car each hour between six 6:00 a. m. and ten 10:00 p. m. and as

much oftener as the public interest, convenience or necessity may require.

SEC. 8. Said grantees shall not tear up nor remove any paving or macadam on any street, or make any excavation on any street, without first notifying the Council or Board of Improvements of their intention so to do, and the City Council or Board of Improvements, if the Council be not in session, may appoint a suitable person to oversee such work, who shall require all paving or macadam so removed to be properly replaced, and require that all streets so disturbed be restored to as good condition as it was in before such disturbance, and the cost of employing such person shall be paid by grantees.

SEC. 9. Cars shall not be run upon said road within the corporate limits of the City at a speed greater than ten miles per hour, and the Council may by ordinance, regulate the speed at which cars may run as the public safety may require.

SEC. 10. The work of construction of said railroad within the City limits shall be done under the supervision of the Board of Improvements in so far as the same relates to the condition of the streets, street and alley crossing and public ways in said City, and in the laying of tracks the street must be put in as good condition for use without delay as before disturbance and not more than 1,000 feet shall be torn up at one time.

SEC. 11. The gauge shall be the same as the other tracks in the city now are, and the material all be of the best quality and the rails not less than seventy pounds per yard in weight and on Main Cross street to T. & O. C. R. R. seventy pounds Shanghai section and laid on ties not more than two feet apart, and all streets, alley and road crossings to be so constructed as to be easily passed over by vehicles, at all seasons of the year, and the ties so buried that the top of the rails shall be on a level with the street grade.

SEC. 12. The grade of said railroad shall conform to the present grade of the street, and if at any time it becomes necessary to establish or change the grade of any street, the City of Findlay shall not be liable for any damage occasioned by such change of grade resulting to said road.

SEC. 13. The City of Findlay reserves the right to lay and repair sewers, water pipes and mains, gas pipes and mains, on all said streets as it may become necessary so to do, and in so doing to remove or displace the tracks of said railroad, and to relay them and to replace poles and wires without cost or expense to the City.

SEC. 14. Said grantee may transport passengers, packages, baggage, express matter, boxed, bundled and packaged freight and United States mail over their said road.

SEC. 15. Said road may be operated with electricity or such other improved inanimate power, other than steam, that may come into general use in operating street railroads.

SEC. 16. Said grantees shall save the City of Findlay harmless from all loss, costs, expenses, judgments and decrees arising by reason of any act or omission of grantees, their officers or employees in the construction, operation or maintenance of said railroad under this ordinance.

SEC. 17. Said grantees shall not charge or receive for carrying passengers more than five cents for each passenger for a single continuous passage over said railroad and over any extension of said road on other streets, within the corporate limits of the said City, or over other lines of railroad over which grantees may run their cars within the City limits by consolidation or contract, nor shall grantees charge for the carriage of a single passenger from any point within said City to any point without said City a greater sum in addition to said five cents from within the City, than two cents per mile for the distance between regular stations of said road.

SEC. 18. Said grantees shall commence the construction of said railway within one year from the first day of May A. D. 1902, and complete the same so as to have cars running regularly thereon with two years from said date, and in default thereof this ordinance shall become null and void and of no effect and the rights of the grantees hereunder shall be forfeited, unless the Council of the said City of Findlay, by ordinance duly passed before the end of two months after the expiration of said two years shall extend the time for the completion of the same.

SEC. 19. This grant so hereby made shall take effect and constitute a franchise contract between said City of Findlay and said grantees and be in full force as such as soon as said grantees shall file with the City Clerk their written acceptance of the terms, conditions and provisions of this ordinance within sixty days from the date of the passage of this ordinance, and when so filed such acceptance shall be recorded by the City Clerk.

SEC. 20. Should grantees fail to file said acceptance mentioned in section 19 within the time specified in said section therefore, or should grantees fail to complete said road within the specified time, then this ordinance shall become null and void, and all the rights of the grantees shall be forfeited at the option and election of said City of Findlay.

SEC. 21. At the time of filing said acceptance grantees shall also file a good and sufficient bond in the penal sum of \$2,000.00 with sureties to the approval of the Council conditioned for the full and complete performance of all their obligations under this ordinance in the construction, maintenance and operation of said road as provided by this ordinance.

SEC. 22. If said grantee fail for a period of sixty days to operate any part of said railroad herein authorized after the same shall be constructed, such failure shall operate as and constitute a revocation of this grant, and grantees shall remove the tracks from the streets and restore said streets to proper condition and repair, to the acceptance of the Board of Improvements and on failure so to do for thirty days after service of notice of the order of the Council so to do the City of Findlay may cause the same to be done at the cost and expense of grantees, and may recover such costs and expense from grantees by suit at law.

SEC. 23. The Council of The City of Findlay shall pass all necessary and proper ordinances for the protection of said grantees in the enjoyment of the franchise privileges herein granted, and for the protection of its rights and property used or invested in said railroad.

SEC. 24. The rights, duties, terms and conditions granted and prescribed to the said, The Findlay & Marion Electric Railroad Company named as grantee herein, are extended to and imposed on the successors and assigns of said Company as fully and to all intents and purposes as if such successors and assigns had been named in each section of this ordinance.

SEC. 25. This ordinance shall take effect and be in force from and after ten days after its passage and publication according to law.

Passed Jan. 20, A. D. 1912.—*Vol. C, Page 192.*

AN ORDINANCE.

Granting to the Findlay-Marion Railway and Light Company, its successors and assigns, permission, right and authority to construct, maintain and operate, for the period of 25 years, an electric Street Railway upon, over, along and across certain street, highways and public grounds, and prescribing the terms and conditions upon, and the manner in which said Electric Street Railway shall be constructed and operated.

Whereas, on the 23rd day of April A. D. 1906, the Findlay-Marion Railway and Light Company made written application to the City Council of the City of Findlay, Ohio, for itself, its successors and assigns, for leave to construct, maintain and operate for the period of twenty-five years an Electric street Railway upon, over, along and across the following streets, highways, and public grounds with the City of Findlay, Ohio, to-wit: Commencing in Blanchard avenue at the point where the said Blanchard avenue intersects with the easterly Corporate Line of the City of Findlay, Ohio, thence northwesterly in Blanchard avenue to the intersection of Blanchard avenue and Blanchard street, thence by curves therefrom northerly in Blanchard street, to East Sandusky street, thence westerly by curves into East Sandusky street, on and over Eagle Creek in said street, and crossing the right-of-way of the Toledo & Ohio Central Railway Company to the intersection of East Sandusky street and Main street with all necessary and convenient curves at any parts of said Route, including either, or both Termini of the same, and,

Whereas, the above mentioned written application of the Findlay-Marion Railway and Light Company, for permission, right and authority to construct, maintain and operate an electric Street Railway over the Route therein described was duly and legally published by the Clerk of said Municipal Corporation, in the Morning Republican, a daily paper published in said City of Findlay, Ohio, for three consecutive weeks: to-wit: On the 27th day of April A. D. 1906, on the 4th day of May, A. D. 1906, and on the 11th day of May A. D. 1906, and,

Whereas, on the 4th day of June, A. D. 1906, the City Council of the City of Findlay, Ohio, by ordinance duly passed on said last mentioned date, did establish Street Railway Route No. 41, being the same Route for which the said The Findlay-Marion Railway and Light

Company had made application for leave to construct, maintain and operate as aforesaid, and,

Whereas, the Clerk of the said Municipal Corporation in pursuance of said ordinance, and as therein directed did give due public notice, and did duly advertise for sealed proposals to construct, maintain and operate said Street Railway Route at the lowest rates of fare, in accordance with the terms, conditions and stipulations of said ordinance and as therein directed, and,

Whereas, bids were received at the office of the Clerk of the Council of the said City in pursuance of said Ordinance and advertisement, and were by said Clerk duly opened as therein directed and were by him as therein directed reported to the City Council, and,

Whereas, The Findlay-Marion Railway and Light Company duly presented a sealed proposal for the right to construct, maintain and operate said street Railway Route, and therein proposed to carry passengers on said Street Railway Route at the following rates of fare for a continuous ride in either direction from any point on said Route within said City, to-wit: Five cents for a single cash fare or six tickets for twenty-five cents for adults and minors over six years of age, children under six years of age accompanied by a person in charge free, together with transfers to any other line which may hereafter be required to give similar transfers by the conditions of its franchise in the said City of Findlay, Ohio, and,

Whereas, said rate of fare was the lowest rate of fare that was proposed by any person, individual, individuals, or corporation to carry passengers upon said Street Railway, and,

Whereas, on the 9th day of July, 1906, the City Council of the said City of Findlay, Ohio, declared that the said Findlay-Marion Railway and Light Company had by its said proposal agreed to carry passengers on said Street Railway Route at the lowest rate of fare, and,

Whereas, the said, The Findlay-Marion Railway and Light Company has obtained and produced to the City Council of said City of Findlay, Ohio, the written consents of a majority of the property holders upon each street or part thereof on the line of the Route established by said Ordinance passed June 4, A. D. 1906, represented by the foot front of the property abutting on the several streets along which it is proposed to construct such Electric Street Railway, now therefore,

SEC. 1. Be it ordained by the City Council of the City of Findlay, State of Ohio, that The Findlay-Marion Railway and light Company, its successors and assigns, is hereby granted for the full term of twenty-five years from and after the passage of this Ordinance, permission to construct, maintain and operate a single track Electric Street Railway with the necessary switches, turnouts, cross-overs, poles, wires, Y's and electric appliances upon, along and over the following Route within the City of Findlay, Ohio, to-wit:

Commencing in Blanchard avenue at a point where the said Blanchard avenue intersects with the Easterly Corporate Line of the City of Findlay, thence northwesterly in Blanchard avenue to the intersection of Blanchard avenue and Blanchard streets, thence with curves therefrom northerly on Blanchard street to East Sandusky street, thence westerly by curves into East Sandusky street, on and over

the bridge of Eagle Creek in said street, and crossing the right-of-way of the Toledo and Ohio Central Railway Company to the intersection of East Sandusky street and Main street, with all necessary and convenient curves at any parts of said Route including either or both Termini of the same.

SEC. 2. The said, The Findlay-Marion Railway and Light Company, its successors assigns, shall construct, maintain and operate said Electric Street Railway upon the terms, conditions and provisions as set forth in the Ordinance establishing Street Railway Route No. 41, passed by the City Council of the City of Findlay, Ohio, on June 4, A. D. 1906, and approved by the Mayor of the City of Findlay, Ohio, on June 5th, 1906, and special reference is made thereto.

SEC. 3. The Findlay-Marion Railway and Light Company, its successors or assigns, shall within thirty days after the passage of this Ordinance, accept in writing the rights and privileges herein granted, and shall agree to comply with the conditions thereof.

SEC. 4. This ordinance shall take effect and be in force from and after its passage and legal publication.

Passed July 9th, A. D. 1906. Approved July 10, A. D. 1906.—*Vol. D, Page 47.*

AN ORDINANCE.

To grant to the Findlay, Kenton, Bellefontaine and Urbana Electric Railroad Company, its successors and assigns, permission to construct, operate and maintain a street railway within and beyond the City Limits of the City of Findlay, Ohio.

SEC. 1. That subject to the terms, provisions and stipulations hereinafter set forth, permission is hereby granted to the Findlay, Kenton, Bellefontaine and Urbana Electric Railway Company, their successors and assigns the right to construct, operate and maintain for the period of twenty-five years from the acceptance of this franchise, within the corporate limits of the City of Findlay and the City of Kenton, over and upon the following streets in said City, to-wit: Commencing at the south corporation line upon Main street in said City, upon the east side thereof and continuing north to Sixth street and from Sixth street, north in Center of Main street to C. H. & D. Railway on North Main street.

SEC. 2. Said grantees shall have the right to construct, operate and maintain all necessary sidetracks, switches, spurs, turnouts and to erect poles, hang and maintain all necessary wires and all other appliances necessary for the operation of said railroad.

SEC. 3. The main track of said railway shall be laid on the east side of Main street from the south corporation line, north to Sixth street, and all sidetracks, spurs, turouts and all appurtenances of said road shall be so laid and constructed as not to interfere with or injure the use of said street for public travel.

SEC. 4. Said grantees shall keep that portion of said street lying between the rails and one and one-half feet additional on each side of

the tracks of said railroad in good condition and repair and all street and alley crossings shall be paved between the rails with good vitrified brick or block and in case of any street being permanently improved by paving or otherwise, said space between the rails of said tracks and one and one-half feet additional on each side shall be paved by said City in the same manner and with the same material, and under the same contract with the City of Findlay and the above company hereby agrees to pay the cost and expense incurred thereby, and in default thereof said cost may be recovered from the grantees by said City by the usual assessment against their property as in other cases.

SEC. 5. The poles upon which the wires and appliances used in the operation of said railway are attached shall be placed along the east side of said road and so placed as not to interfere with the sewers, water-pipes, gas-pipes or proper drainage of said street.

They shall be either of metal or wood and shall be straight and painted, and all poles and wires shall be so constructed, operated and maintained as to cause no interference with the telephone and telegraph lines, nor with the fire-alarms or police alarms, nor with the service or use of the same, and all poles shall be located by the Board of Improvement.

SEC. 6. Said grantees shall run cars upon said track daily to the northern limit at least one car each hour, between the hours of five (5) a. m. and eleven (11) p. m. and as much oftener as the public interest, convenience or necessity may require.

SEC. 7. Said grantee shall not tear up or remove any paving or macadam on any street or make any excavation without first notifying the Council or Board of Improvements of their intention so to do and the City Council or Board of Improvements, if the Council be not in session may appoint a suitable person to oversee such work who shall require all paving or macadam so removed to be properly replaced and require that all streets so disturbed be restored to as good condition as it was in before such disturbance and the cost of employing such person and repairing of said street shall be paid by the grantee.

SEC. 8. Cars shall not run upon said road within the corporate limits of the city at a speed greater than six miles an hour and the Council may by ordinance regulate the speed at which cars may be run as the public safety may require.

SEC. 9. The work of construction of said railroad within the City limits shall be done under the supervision of the Board of Improvements in so far as the same relates to the condition of the street and alley crossing and in laying of tracks the street must be put in as good condition for use without delay as before disturbance and not more than one thousand feet shall be torn up at one time.

SEC. 10. The gauge shall be the same as the other tracks in the city now are and the material all of the best quality and the rails not less than seventy pounds per foot in weight and laid on the ties not more than two feet apart and all street, alley and road crossing to be so constructed as to be easily passed over by vehicles at all seasons of the year and the ties so buried that the top of the rails laid thereon shall be on the level with the street grade furnished by the City Engineer.

SEC. 11. The grade of said railroad shall conform to the present

grade of street and if at any time it becomes necessary to establish or change the grade of any street, said railway Company shall change their tracks to conform to the same and the City of Findlay shall not be liable for any damages occasioned by such change of grade resulting to said railway.

SEC. 12. The City of Findlay reserves the right to lay and repair sewers, water-pipes, gas-pipes, etc., as it may become necessary so to do and in so doing said railway company shall remove or displace the tracks of said railroad and relay them and to replace poles and wires without cost or expense to the City.

SEC. 13. Said grantee may transport passengers, packages, box express matter, boxed and barreled goods and package freight, also U. S. mail over their said road.

SEC. 14. Said road may be operated with Electricity or such other improved power other than steam that may come into general use in operating street railways.

SEC. 15. Said grantees shall save the City of Findlay harmless from all loss, costs, expense, judgment and decrees arising from any act or acts of grantees, their officers or employees in the construction, operation and maintenance of said railway under this ordinance.

SEC. 16. Said grantees shall not charge or receive for carrying passengers, more than five cents for each passenger for a single continuous passage over said railroad and over any extension of said road or other streets within the corporate limits of the city or over other lines of railroad over which grantee may run their cars within the City limits by consolidation or contract, nor shall grantee charge for the carriage of a single passage from any point within said city to any point without said City a greater sum in addition to said five cents fare within the city than two cents per mile for the distance between the City of Findlay and the regular stations.

SEC. 17. Said grantees shall commence the construction of said railway within one year from the date of the acceptance of this ordinance and complete the same so as to have cars running regularly thereon within two years from said date, and in default thereof, this ordinance shall become null and void and of no effect and the rights of the grantee hereunder shall be forfeited unless the Council of said City of Findlay by ordinance duly passed after the expiration of two years shall extend the time for the completion of the same.

SEC. 18. This grant so hereby made shall take effect and constitute a franchise contract between said City of Findlay and said grantees and be in full force as such as soon as the said grantees shall file with the said City Clerk their written acceptance of the terms, conditions and provisions of the ordinance within sixty days from the date of the passage of this ordinance and when so filed, such acceptance shall be recorded by the City Clerk, otherwise said ordinance to become null and void and of no effect.

SEC. 19. At the time of filing said acceptance grantees shall also file a good and sufficient bond in the sum of Five Thousand (\$5,000.00) Dollars with sureties to the approval of the Council conditioned for the full and complete performance of all their obligation under this

ordinance, in the construction, maintenance and operation of said road as provided by the ordinance.

SEC. 20. If said grantee fail for the period of sixty days to operate any part of said railroad herein authorized after the same shall be constructed, such failure shall operate and constitute a revocation of this contract and grantee shall remove the track from the street and restore said street to proper condition and repair, to the acceptance of The Board of Improvements and on failure so to do for thirty days after service of notice of the order of the Council so to do, The City of Findlay may cause the same to be done at the expense of grantees and may recover said costs and expense of grantee and may recover said costs and expense from grantees by suit at law.

SEC. 21. All cost and expense incurred by the City of Findlay in the publishing of this ordinance shall be paid by said Findlay, Kenton, Bellefontaine and Urbana Railway Company when bill is presented and approved by the City Clerk.

SEC. 22. The rights, duties, obligations, terms and conditions granted and prescribed to the said, The Findlay, Kenton, Bellefontaine and Urbana Railroad Company, named as grantee herein are extended to and imposed on the successors and assigns of said Company as fully and to all intents and purposes as if such successors and assigns had been named in each section of the ordinance.

SEC. 23. This ordinance shall take effect and be in full force from and after ten days after its passage and publication according to law.

Passed September 15, 1902.—*Vol. C, Page 228.*

FRANCHISE TO GEO. B. KERPER ET AL.—MAIN STREET RAILROAD.

An ordinance to grant to George B. Kerper and associates and assigns permission to construct and operate a street railroad along and upon certain streets in the City of Findlay.

(Passed September 11, 1887.)

SEC. 1. Be it ordained by the Council of the City of Findlay, subject to the terms and conditions hereinafter made, That permission be, and the same hereby is granted to George B. Keper, his associates, successors and assigns, to construct and operate a street railroad along and upon the following streets in said City, to-wit: Main street from the north to the south corporation line; Main Cross street from Main street to the east line of the right-of-way of the Lake Erie and Western railroad, and Sandusky street from Main street east to Blanchard street, and the Tiffin road, in North Findlay, from Main street northwestward to the corporation line, and Main street east on Walnut to Crystal avenue and thence northeast, or on said avenue, to corporation line.

SEC. 2. Said railway on Main street shall be commenced within thirty days from the passage of this ordinance and completed within ninety days from said passage; on Main Cross street such railway shall be completed before June 1st, 1888; on Sandusky street said railroad

shall be completed June 1st, 1888; and the railways on such other streets above named shall be completed within two years from the passage of this ordinance, or the right to such streets as are not occupied within two years shall be forfeited.

SEC. 3. Said grantees shall not charge or receive for carrying passengers upon said railroad, a greater sum than five cents, for each passenger, for a single passage in any car.

SEC. 4. This grant is made subject to the provisions, conditions and limitations of the general ordinance of said City, passed May 3rd, 1887, entitled "An ordinance to establish street railroad routes within the Village (now city) of Findlay.

SEC. 5. This grant so hereby made and the privileges hereby given shall continue, remain in force and be valid to said grantee, successors and assigns, for and during the period and term of twenty-five years from the 1st day of September, A. D., 1887.

SEC. 6. This grant so hereby made shall take effect and be in force so soon as said grantees shall file with the Clerk of the City his written acceptance of this ordinance and its terms and provisions, which acceptance shall be filed within ten days from the passage of this ordinance and if not so filed or if said grantee fails to commence within the time hereinbefore prescribed, and proceed with all reasonable diligence in the construction of said road, then this ordinance shall be null and void and the said grants thereby stand revoked.

SEC. 7. Said grantee shall, at the time said acceptance is filed, also execute his bond in the sum of two thousand dollars, with sureties to the satisfaction of Council, conditioned for the full and due performance of their obligations under this ordinance and the construction and operation of such road as provided by this ordinance.

SEC. 8. Said grantee, his successors and assigns, shall forever save harmless the City of Findlay against any and every and all legal damages, judgments, decrees and costs which may be recovered or maintained against said City by reason of the privileges hereby granted, or from any act or acts of said grantee, successors or assigns, by his or their servants, agents, officers or employees under or by virtue of the provisions of this ordinance.

SEC. 9. Said roads shall be operated by horse power, electricity or cable. If electricity is adopted the plan for constructing same shall be submitted to Council and receive its approval before its adoption. If electricity be used as a motive power it may be by storage batteries or by iron poles as the Council and grantee may agree, and if by poles said grantee shall have the privilege to erect and maintain poles of suitable height and kind upon both sides of said streets or in the center, and to connect the same with wire across such streets so as to carry the wires necessary for the electric current, or the same may be done by the conduit system.

SEC. 10. If said grantee, his successors or assigns, fail for a period of thirty days to operate any part of said road when constructed, such failure shall operate as a revocation of this grant, and the grantee shall remove said track and restore the street to proper repair to the acceptance of the Board of Improvements.

SEC. 11. In consideration of the construction and operation of said

road, the benefits to be derived therefrom and upon compliance by grantee with the conditions and provisions hereof, the said City of Findlay waives and remits to said grantees for the full period of five years from Oct. 1st, 1887, and all license fee, but reserves the right to charge five dollars per annum for each car operated, provided it so elects thereafter.

SEC. 12. Before commencing the construction of said road or any part thereof, the written consents of a majority of the owners of lots abutting upon said street severally shall be filed with the Council, the same having been heretofore filed according to law.

SEC. 13. The rate of speed upon such road shall not exceed at any time eight miles per hour and shall be subject to such regulations by the Council as public safety may require; and the entire work in the construction of said road shall be done under the supervision and to the acceptance of the Board of Improvements.

SEC. 14. The city reserves the right to permit other street railroad companies to cross the tracks of said grantees, their successors and assigns, upon condition that the person, firm or corporation crossing such tracks shall construct such crossing at their own expense, and not unnecessarily impede the passage of cars while so constructing such crossings.

SEC. 15. No other street railroad or street railway company shall use or run their cars over more than one-eighth part of the tracks or either of them constructed under this ordinance, and if so used shall pay their proportion of the cost of the part so used, and of the keeping of the track, so jointly occupied, in repairs.

SEC. 16. The Council of said City shall pass all necessary ordinances for the protection of said grantee, his associates, successors and assigns, in the full enjoyment of the franchise, privileges and permission hereby granted, and of all their rights and property invested or used in said roads as also against all obstructions to the full and free use of their tracks and the privileges hereby conferred.

SEC. 17. Said grantee, his successors and assigns, shall run cars on said tracks daily and as often as the public interest, convenience and necessity may require.

SEC. 18. The guage of the tracks shall not be less than three feet nor more than four feet eight inches, as the persons or company may elect. The rail shall be a center bearing "T" rail of not less than twenty pounds per yard, laid on ties not more than four feet apart, and the street crossings shall be planked by said grantee so that the same shall be easily passed over by vehicles of all kinds at all seasons of the year. The portion of the track between the rails shall be kept in repair by the company as long as horse power is used; in the case of electricity or cable, if the grantee cause no wear or damage on the streets, they shall be relieved from all obligations to keep such portion of the street in repair.

SEC. 19. The ordinance passed June 27th, 1887, entitled "An ordinance to grant S. T. Dunham and his associates and assigns permission to construct and operate a street railroad upon and along certain streets in the City of Findlay," and the ordinance passed August 1st, 1887, entitled "An ordinance to grant George B. Kerper and his as-

sociates and assigns, permission to construct and operate a street railroad along and upon certain streets in the City of Findlay," and an ordinance passed August 8th, 1887, entitled "An ordinance to grant to George B. Kerper and his associates and assigns, permission to construct and operate a street railroad upon and along certain streets in the City of Findlay," are hereby repealed.

ADDITIONAL FRANCHISE TO GEO. B. KERPER—MAIN STREET RAILROAD.

An ordinance to grant permission to George B. Kerper and his associates to extend the track of the street railroad, now owned and operated by them on Main street, in the City of Findlay, from the present north and south termini of said road, north and south to the present north and south boundary line of said City.

(Passed June 12, 1888.)

SEC. 1. Be it ordained by the Council of the City of Findlay, That permission be, and the same is hereby granted to George B. Kerper and his associates to extend the track of their street railroad, now owned and operated by them, on and along Main street in said City, north and south from the present north and south termini of said road to the present corporation boundary line of said City.

SEC. 2. The track of said street railroad, as so extended, shall be placed on either side of the roadway, twelve feet from the curb line, and shall in all respects be extended, constructed and governed by the provisions of Section 2000, of the Revised Statutes of Ohio, and of the general ordinance passed by the Council of said City establishing street railroad routes, and providing for the construction of street railroads, passed on the 1st day of August, 1887, and the provisions of the ordinance of said City granting to said George Kerper the privilege of constructing and operating a street railroad on and along Main street in said City; Provided, that the fare of passengers on said street railroad shall not be increased by reason of such extension.

FINDLAY STREET RAILWAY COMPANY REQUIRED TO PAVE TRACKS.

An ordinance to require the Findlay Street Railway Company to pave between the rails of their tracks on Main street in said City from the Cincinnati, Findlay and Northern railroad track north to the north line of Frazer street.

(Passed August 4, 1890.)

Whereas, The Board of Improvements of the City of Findlay, Ohio, have recommended to the Council that Main street in said City from the Cincinnati, Findlay and Northern railroad be graded and improved by paving the same with clay brick, and,

Whereas, The Council of said City authorized and ordered said improvement by ordinance passed April 14th, 1890, therefore

SEC. 1. Be it ordained by the Council of the City of Findlay, Ohio, That the Findlay Street Railway company be, and the same is hereby notified and required to improve that portion of the street as lies between the rails of the tracks of said company, between said points, by grading said portion of said street and paving the same with fire clay brick as is provided by said ordinance, and according to the plans and specifications made therefor, said fire clay brick being the kind of material, and said plans and specifications being the same as was adopted by the Council for the improvement of the whole street between the points mentioned. Which plans and specifications, with a sample of said fire clay brick, are now on file in the office of the City Clerk.

SEC. 2. That the City Clerk is hereby directed to give notice to the said Findlay Street Railway company with the passage of this ordinance by serving said company with a copy thereof.

FINDLAY STREET RAILWAY COMPANY REQUIRED TO BE OPERATED BY ELECTRICITY.

An ordinance to require the Findlay Street Railway company to operate its street railroads in the City of Findlay by electricity.

(Passed August 25, 1890.)

SEC. 1. Be it ordained by the Council of the City of Findlay, Ohio, That the Findlay Street Railway company, its successors and assigns, be and they are hereby required to operate its several street railroads in said City by electricity and change the motive power for propelling its cars from horse power to electricity, the plan for constructing and operating by electricity having been submitted to and received the approval of the Council.

SEC. 2. Said road shall be operated and the cars run by the overhead system of electricity.

The poles used for the wire shall be of cedar, not less than twenty feet high above ground and six feet under ground and securely planted within the curb lines upon both sides of the streets, and not less than one hundred feet apart and opposite each other.

All poles shall be neatly painted; those on Main street shall be octagonal in form and of uniform size and at all other points they may be round and shall be of uniform size.

The work to be commenced on Main street in said City immediately after this ordinance takes effect, and all poles to be planted and the work done and the system constructed to the satisfaction of the City Engineer and Board of Improvements.

AN ORDINANCE.

To grant to Theodore Wentz, his associates, heirs and assigns, permission to construct, operate and maintain a street railway within and beyond the corporate limits of the City of Findlay, Ohio.

Whereas, on the 22nd day of June A. D., 1899, Theodore Wentz made and presented to the Council of said City his application in writing for leave to construct, operate and maintain a street railroad in said City, and,

Whereas, on the 22nd day of June, 1899, The Board of Improvements of said City recommended that public notice of the application therefore be given by the Clerk of said City by publication for three consecutive weeks in two or more daily newspapers published and of general circulation in said City, and,

Whereas, in pursuance of said recommendation the City Council did on the 26th day of June, 1899, order the Clerk to cause said notice to be published, which was accordingly done, and,

Whereas, bids were received by the City Clerk in conformity with said notice, and were opened at said time, and,

Whereas, said Theodore Wentz by his proposal and bid agrees to carry passengers at a lower rate of fare than other bidders, and has obtained and filed with the City Clerk the written consent of a majority of the property holders upon each street and part thereof on the line of said proposed street railroad, represented by the feet front of the property abutting on the several streets within said City along, upon and over which such railroad is to be constructed, now therefore,

Be it ordained by the Council of the City of Findlay, Ohio.

SEC. 1. That subject to the terms, conditions, provisions, stipulations and limitations herein contained and set forth, permission be and the same is hereby granted to Theodore Wentz, his associates, heirs and assigns, to construct, operate and maintain within and without the corporate limits of the City of Findlay, Ohio a street railroad, along, over and upon the following streets in said City to-wit: Entering said City at the north corporation line thereof where the same intersects Fostoria street (commonly known as Fostoria Road,) thence southwest along said Fostoria street to Tiffin avenue, thence in a southwestern direction along Tiffin avenue to its intersection with Center street, thence west on Center street to and upon Main street, then connecting with the tracks of the Railway of the Findlay Street Railway Company with a "Y" switch and then terminate.

SEC. 2. Said grantee, his associates, heirs and assigns, shall have the right to construct, operate and maintain said street railroad beyond the corporate limits of the said City, to the City of Fostoria, Ohio, under such grants as may be obtained from the Board of County Commissioners of Hancock County, Ohio, and such other officers and boards having jurisdiction or control of the public highways outside of said City of Findlay, subject, however, to the stipulations and requirements herein contained in so far as the same are applicable.

SEC. 3. Said grantee, his associates, heirs and assigns, shall have the right to construct, operate and maintain all necessary side tracks switches, spurs, turn-tables, turn-outs and stations and the right to erect poles, hang and maintain all necessary wires, feed wires and appliances necessary for the successful operation and management of said railway, but no switches, turn-outs, turn-tables, or stations shall be erected in said Center street, it being expressly provided herein that a single track only shall be permitted on said Center street.

SEC. 4. This grant so hereby made shall continue, remain in full force and effect and be valid to said grantee, his associates, heirs and assigns, for and during the term of twenty-five years from the 1st day of September A. D., 1899, unless forfeited for failure to comply with the terms and conditions of this ordinance.

SEC. 5. This grant so hereby made is made subject to all the terms, conditions, limitations, requirements and provisions of the general ordinance of said City passed May 3, 1887, entitled "An Ordinance to establish street railroad routes within the Village of Findlay" except in so far as the same is modified by this ordinance.

SEC. 6. The main track of said railroad shall be laid upon a line parallel with the center line and 4 feet 7 1-2 inches south of the said center line upon and along said Center street and Tiffin avenue in said City and along the south side of said Fostoria street to the corporate line and so laid, constructed, operated and maintained as not to unnecessarily interfere with, or injure the use of said streets for wheeled vehicles, and that portion of said Center street occupied by said railroad, as well as the portion now paved with Cedar Block shall be by said grantee, his associates, heirs or assigns, upon the construction of said road, properly paved with good fire clay paving brick or block of as good quality and kind as is now in use on said street so that said Center street shall be paved its entire width between the curb stones as now laid. Said grantee, his associates, heirs, and assigns, shall construct and maintain his own bridge across what is known as "The Hagerman Run" on said Tiffin avenue.

SEC. 7. Said grantee, his associates heirs and assigns, shall keep that portion of the streets in said City over which they may construct, operate and maintain said railroad laying between the rails of the tracks thereof in good condition and repair, and if at any time said City declares the necessity of repairing or otherwise improving by grading, macadamizing or paving any street over which said road is, or may be constructed or operated, said grantee, his associates, heirs and assigns, shall be required to repair, improve, grade, macadamize or pave that part of said streets lying between the rails of the tracks of said railway, at the same time, in the same manner, and with the same material as the balance of said street is repaired or improved, and to pay the entire cost and expense thereof, and a failure to so upon notice of the passage of the necessary resolution providing for said improvement being served upon said grantee, his associates, heirs and assigns, the said city may cause the same to be done at the cost and expense of said grantee, his associates, heirs, and assigns and assess and collect the cost and expense thereof by suit at law in any court of competent jurisdiction, or upon failure to pay, the said City may after the passage of an assessing ordinance certify said cost and expense to the County Auditor to be collected as other taxes are collected.

SEC. 8. The poles upon which the wires and appliances used in the operation of said railway, are attached shall be placed along the sidewalk space next to the curb, and so placed as not to interfere with sewer pipes, water pipes, gas pipes or the proper drainage of said street, they shall be either metal or wood, and if of wood, they shall be straight, smooth and of presentable appearance, and shall be painted;

all poles and wires shall be so constructed, operated and maintained as to cause no serious or unnecessary interference with the telephone lines, telegraph lines, or the fire or police alarm systems, nor to the service or use of the same.

SEC. 9. Said grantee, his associates, heirs and assigns, shall run cars upon said tracks daily, at least one car each hour and as much oftener as the public interest, convenience or necessity may require.

SEC. 10. Said grantee, his associates, heirs or assigns, before tearing up any paved or macadamized street, or making any excavation therein, shall first notify the City Council or Board of Improvements of said City of his intention so to do, and the City Council or Board of Improvements shall have the right to appoint a suitable person to oversee the same, and see that all paving or macadam are properly replaced, and all streets restored to as good condition as the same were in prior thereto, and the cost and expense of the employment of such person shall be paid by said grantee, his associates, heirs or assigns.

SEC. 11. The rate of speed upon such railroad shall not at any time exceed within the corporate limits of said City, ten (10) miles per hour, and shall be subject to such regulations by the Council as the public safety may require.

SEC. 12. The entire work in the construction of said railroad within the corporate limits of said City shall be done under the supervision and to the acceptance of the Board of Improvements of said City in so far as the same relates to, or affects the condition of the streets, street and alley crossings and public ways in said City; and in the laying of tracks the streets must be put in good condition for use as fast as the track is laid and not more than 1,000 feet of the street shall be torn up at any one time.

SEC. 13. The gauge of said tracks shall not be less than three feet nor more than four feet, eight and one-half inches, and the rails shall be of the best materials suitable for the cars and traffic, weighing not less than seventy pounds per lineal yard, shall be laid on ties not more than two feet apart, and all street and alley and road crossings shall be so constructed that the same may be easily passed over by vehicles of all kinds at all seasons of the year; the ties shall be buried below the surface of the street so that when the rails are placed on the ties, the top of the rails shall be on a level with the street.

SEC. 14. the grade of said railroad shall conform to the present grade of the streets over, upon or along which the same is so constructed, operated or maintained, and if at any time, it becomes necessary to establish or change the grade of any street, alley or public way, over, upon or along which said road is built, operated or maintained, or may pass, the same may be done by the City and it shall not be liable to answer for any damages occasioned by reason of such change of grade.

SEC. 15. The City reserves the right to have water, gas, sewer mains and pipes completed, repaired, laid or changed in any of the streets or public ways over which said road extends is operated or maintained in said City from time to time as the public interests may require, and whenever it becomes necessary to remove or displace any rails of the tracks, or ties, wires, or poles or other property of said grantee in order to improve or repair, construct, lay or relay any such

pipes or sewers aforesaid, said grantee, his associates, heirs and assigns shall so remove, replace and relay said tracks, ties, wires, poles, rails and other property without any expense to said city.

SEC. 16. Said grantee, his associates and assigns, shall have the right to operate said road for the transportation of passengers, packages, baggage, express matter, boxed, barrelled and packaged freight and United States mail.

SEC. 17. Said railroad shall be operated by electricity or such other improved inanimate power, other than steam, that may come into general use in operating street railroads.

SEC. 18. Said grantee, his associates, heirs and assigns, shall forever save harmless the City of Findlay against any and all legal damages, judgments, decrees and costs which may be recovered and maintained against said City by reason of the privileges hereby granted, caused by any act or acts of said grantee, his associates, heirs or assigns, or his agents, servants, officers, or employes in the construction, maintenance or operation of said railroad, under or by virtue of this ordinance.

SEC. 19. Said grantee, his associates, heirs and assigns, shall not charge or receive for carry passengers on said railroad a greater sum than five (\$.05) cents for each passenger for a single passage in any car from any point within said City to any other point within said City reached by the cars of said grantee, and if at any time said grantee, his associates, heirs or assigns obtain an extension of this franchise over any other streets in the said city (or run his cars over the tracks of any other company operating a street railroad within said city) or consolidate with any such company, or make traffic arrangements therewith, no additional fare shall be permitted to be charged for a single passage in any car or cars to any point within said City so by the said grantee, by said extension, appropriation, consolidation or traffic arrangements reached.

Said grantee, his associates, heirs or assigns, shall not be permitted to charge or receive a greater sum than fifteen (\$.15) cents for a single passage in any car from any point reached by him within said City of Findlay to any point without said City to the Village of Arcadia, nor a greater sum than (\$.25) twenty-five cents within said City to any point without said City to the City of Fostoria, Ohio, and the fare from any point without said City to any point within said City shall not be greater than the fare from any such point within said City to such point without said City.

SEC. 20. Said grantee, his associates, heirs or assigns, shall commence the construction of said railway within one year from the 1st day of September, 1899, and shall have the same completed and in operation from the City of Findlay to the City of Fostoria, Ohio, within two years from said date, and in default thereof this ordinance shall become null and void and of no effect and the rights of said grantee, his associates, heirs and assigns, under this ordinance shall be forfeited, unless the Council of said City of Findlay by ordinance duly passed on or before two months after the expiration of said two years, extend the time for the completion of the same.

SEC. 21. This grant so hereby made shall take effect and consti-

tute a franchise contract between said City and said grantee and be in full force as such as soon as said grantee, his associates, heirs or assigns, shall file with the City clerk his written acceptance of the terms, conditions and provisions of this ordinance, which acceptance shall be filed within sixty days from the date of the passage of this ordinance, and when so filed, shall be recorded by the City Clerk.

SEC. 22. Should said grantee, his associates, heirs or assigns, fail to file said written acceptance within the time specified for so doing in the preceding section, or should said grantee, his associates, heirs or assigns, fail to complete said road to City of Fostoria, Ohio, within the time hereinbefore limited then this ordinance shall become null and void and all the rights of the said grantee, his associates, heirs or assigns, here granted shall be forfeited at the option and election of said City of Findlay.

SEC. 23. Said grantee, his associates, heirs and assigns, at the time of the filing of said written acceptance, shall also execute and file a bond in the sum of two thousand (\$2,000.00) dollars, with sureties to the approval of the City Council, conditioned for the full and complete performance of all of the allegations under this ordinance, in the construction, maintenance, and operation of said road as provided by this ordinance.

SEC. 24. If said grantee, his associates, heirs or assigns, for any reason fail for a period of sixty days to operate any part of said railroad when so constructed such failure shall operate as and constitute a revocation of this grant, and the said grantee, his associates, or assigns, shall remove the tracks from the streets and restore said streets to proper condition and repair to the acceptance of the Board of Improvements of said city, and upon a failure to so remove therefrom and restore said streets as aforesaid within thirty days after the service of the notice of the order of the City Council so to do, said City may cause the same to be done at the cost and expense of said grantee, his associates, heirs and assigns and such cost and expense may be collected by suit at law in any court of competent jurisdiction.

SEC. 25. The Council of said City of Findlay shall pass all necessary and proper ordinances for the protection of said grantee, his associates, heirs and assigns in the full enjoyment of the franchise privileges hereby granted and his rights and property invested or used in said road.

SEC. 26. This ordinance shall take effect and be in force from and after ten days after its passage and publication according to law.

Passed July 31st, A. D., 1899.—*Vol. C, Page 47.*

AN ORDINANCE.

To amend section number 6 of an ordinance passed July 31st, 1899, entitled "An Ordinance to grant to Theodore Wentz, his heirs, associates, successors and assigns permission to construct, operate and maintain a Street Railway within and beyond the corporate limits of the City of Findlay, Ohio."

Whereas, such petitions signed by the owners of property abut-

ting on the South of Tiffin avenue have been presented to Council praying for the removal of the track of the Toledo, Fostoria & Findlay Street Railway from its present location in said street and the establishing of the said tracks on a part of the said street nearer the center line of said street, and,

Whereas, such change in the location of the tracks of said above named Street Railway Company is in view of the petitions filed by the said property owners abutting on said street, deemed advisable by this Council, and,

Whereas, such change in the location of the tracks of the said Company is made with the knowledge and consent of the said Toledo, Fostoria & Findlay Street Railway Company,

Therefore, be it ordained by the Council of the City of Findlay, State of Ohio:

SEC. 1. That section number 6 of an ordinance passed July 31, 1899, entitled "An Ordinance to grant to Theodore Wentz, his heirs, associates, successors and assigns, permission to construct, operate and maintain a Street Railway within and beyond the Corporate limits of the City of Findlay, Ohio," be amended so as to read as follows:

SEC. 6. The main track of the Toledo, Fostoria & Findlay Street Railway Company shall be laid as follows: Beginning at the East rail of the Findlay Belt Railway, 4.62 feet South of the middle of Tiffin avenue at a point where the center line of Tiffin avenue as well as the Toledo, Fostoria & Findlay Street Railway bears North 59 degrees East; thence by curve of 2865 feet Radius to the left 85 feet thence by curve of 2865 feet radius to the right, 85 feet; thence north 59 degrees east 1.62 feet south of the center line of Tiffin avenue to a point 165 feet west of the center line of Blanchard street; thence by a curve to the right of 5730 feet radius, 330 feet; thence north 62 degrees, 17 minutes east; 162 feet South of the center line of Tiffin avenue, to a point 71 feet west of the west line of the McKee Addition; thence on a curve to the right of 5730 radius, 142 feet; thence north 63 degrees 43 minutes east, 1.62 feet south of the center line of Tiffin avenue, to a point 165 feet west of the west line of Dayton avenue; thence by curve to the right of 2865 feet radius, 282 feet; thence north 69 degrees 21 minutes east, 1.62 feet south of the center line of Tiffin avenue to the west line of Carnahan avenue; thence on a curve to the right, with radius of 5730 feet, 170 feet; thence by curve to the left, with radius of 5730 feet, 170 feet to a point in the center line of the existing track and 4.62 feet south of the center line of Tiffin avenue, 276 feet east of the east line of Carnahan avenue, and so laid, constructed operated and maintained as not to unnecessarily interfere with or injure the use of said street for wheeled vehicles, and that portion of said Center street occupied by said Railroad, as well as the portion now paved with cedar block, shall be by said grantee, his associates heirs and assigns, upon the construction of said road, properly paved with good fire clay paving brick or block of as good quality and kind as is now in use on said street, so that said Center street shall be paved with brick its entire width between the curb stones as now laid. Said grantee, his associates, heirs and assigns shall construct and maintain his own bridge across what is known as "The Hagerman Run" on said Tiffin avenue.

SEC. 2. Section number one (1) of this ordinance amending section number six of said franchise ordinance is intended to affect only such part of the franchise ordinance of the Toledo, Fostoria & Findlay Street Railway Company as relates to the location of their tracks, and shall in no manner affect the liability of said Street Railway Company for assessments for the cost of street improvements to the extent and manner designated in their original franchise of July 31st, 1899.

SEC. 3. Any ordinance or part of ordinance in conflict with the provisions of this ordinance be and the same is hereby repealed.

SEC. 4. This ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed June 11, 1906. Approved June 13, 1906.—*Vol. D, Page 30.*

FRANCHISE TO FREMONT AND INDIANA R. R. CO.

(Passed Dec. 29, 1853.)

This agreement made and entered into, by and between the Fremont and Indiana Railroad Company of the First part, and Town Council, of the Borough of the Second part.

Witnesseth: That whereas, the party of the first part are now constructing a railroad to connect Fremont with the Indiana state line, which road crosses certain alleys and streets in the Village of Findlay, which it becomes necessary for said railroad to cross and occupy. Now it is agreed between the parties aforesaid, that said Railroad company may construct their said Railroad, with its depots and stations across and over any alley, street, road or public ground, on the line of said road within the corporate limits of said Village and may also occupy the same as far as may be necessary and convenient for the business purposes of said Company and for the construction and maintenance of said road, its depots and stations, according to the powers and privileges conferred on said Company by the law of the land. Provided, that no unnecessary injury be done to the village, or to inhabitants, in the exercise of said powers and privileges, and provided further, that there shall be no excavation on any street or alley, except what is necessary for draining purposes.

FRANCHISE TO L. E. AND W. R. R. CO.—WESTERN STREET

An ordinance to grant to the Lake Erie & Western Railroad company permission to construct, maintain and operate a side track along Western street.

(Passed August 13, 1886.)

SEC. 1. Be it ordained by the Council of the Village of Findlay, Ohio, that permission and authority be, and the same is hereby granted to the Lake Erie & Western Railroad Company and its successors, to

lay down, maintain and operate a side track and necessary switches from a point in its existing track north of Sandusky street, thence south and along the west half of Western street to the Lima Road. Provided, that said track shall be so laid as to conform to the present grade of Western street as nearly as may be, and that all street and alley crossings shall be made so as not to unnecessarily interfere with, hinder, obstruct or impede public travel or convenience. And that west side of road bed shall be at least 12 feet east of the east line of lots on west side of the street so as to leave space for sidewalks and gutters. The same having been petitioned for by all lot and land owners along said side of said street.

SEC. 2. The ordinance passed July 2nd, 1886, entitled "An ordinance to grant to the Lake Erie & Western Railroad company permission to construct a switch along Western street south of Sandusky street," is hereby repealed.

FRANCHISE TO L. E. AND W. R. R. CO.—FACTORY AVENUE

An ordinance to grant to the Lake Erie & Western Railroad company permission to extend, maintain and operate their side track and switch, now on Factory avenue, south and across Lima Road.

(Passed April 11, 1887.)

SEC. 1. Be it ordained by the Council of the Village of Findlay, that permission and authority be, and the same hereby is granted to the Lake Erie & Western Railroad company, its successors and assigns, to extend lay down, maintain and operate its side track and necessary switches, now on Factory avenue in said Village, from its present terminal point in said avenue south along the west side of said avenue over and across the Lima Road, and thence south along the east line of the southeast part of the southwest quarter of section twenty-four, in Township One, North Range Ten East, in Findlay Township, Hancock County, Ohio, (being land now owned by A. P. Bial, D. Joy, George B. Kerper and John A. Scott), to the south line of said section twenty-four.

Provided, that said side track and switches shall be laid to the grade of said street and road, and that all street and alley crossings shall be made so as not in any way to unnecessarily interfere with, hinder, obstruct or impede public travel or convenience. The said extension having been asked for by lot and land owners by their petition presented to the Council and on file.

FRANCHISE TO T., C. AND S. RY. CO.—BANK STREET.

An ordinance to grant to the Toledo, Columbus and Southern Railroad company permission to construct, maintain and operate its railroad along and upon Bank street.

(Passed January 6, 1888.)

SEC. 1. Be it ordained by the Council of the City of Findlay,

Ohio, that permission and authority be, and the same is hereby granted to the Toledo, Columbus and Southern Railroad company, and its successors and assigns, to lay down, construct, maintain and operate its railroad along and upon Bank street in the City of Findlay, Ohio, the entire length of said street as now laid out. Provided, that the track of said railroad shall be so laid as to conform to the grade of said street as now ordered to be established by the City Council and not exceeding six inches in height above such grade; and that all streets and alleys and sidewalk crossings shall be constructed and kept in repair by said company and made so as not to interfere with, hinder, obstruct or impede public travel or convenience; and that the center line of said railroad shall be on the center line of said Bank street, and no side track shall be laid down or maintained on said Bank street and no dirt shall be borrowed from the sides of the line of said railroad to make the grade of the road bed, and said road bed shall be no wider than necessary to construct, maintain and operate thereon a railroad track of the standard gauge; and provided, further, that said company shall have said road completed and in operation to the south corporate line of said City or or before June 1st, A. D., 1888, in default whereof this grant shall be void and stand revoked.

SEC. 2. This ordinance shall operate to west side grant in said railroad company when the company file with the Clerk of the City its written acceptance of this ordinance and its terms and conditions, such acceptance to be signed by the President of said company within thirty days from the passage thereof.

FRANCHISE TO N. Y. M. AND W. R. R. CO.—LA GRANGE AVENUE.

RESOLUTION.

(Passed May 28, 1888.)

Be it resolved by the Council of the City of Findlay, that the New York, Mahoning & Western Ry. company be, and the same is hereby permitted and authorized to use and occupy so much as may be necessary in the construction of their road, La Grange avenue between the L. E. & W. Ry. and Lima avenue, and Sixth street from Lima avenue east to township line upon the terms and conditions that they construct said track so as to conform to the present grade of Lima, Hardin, Main and Blanchard streets to the acceptance of the Board of Improvements or this Council, and to maintain street crossings with gate and watchman at Main street crossing. That said company, without unnecessary delay, place such streets and avenues in such a condition as not to unnecessarily impair its former usefulness to the public or prevent or impede travel thereon.

FRANCHISE—FINDLAY BELT LINE RAILWAY CO.

An ordinance to grant to the Findlay Belt Railway company permission to use and occupy certain streets, avenues and highways in

the City of Findlay, and lay thereon its tracks and maintain and operate a Belt Railroad.

(Passed Nov. 12, 1889.)

SEC. 1. Be it ordained by the Council of the City of Findlay, Ohio, that permission be and the same hereby is given and granted to the Findlay Belt Railway company, its successors and assigns, subject however to the terms, conditions and limitations herein after specified, to construct its railroad track and maintain and operate a Belt Railroad in said City along and upon the following route, streets, avenues, and highways in said City: Commencing at the track of the Columbus, Findlay & Northern Railroad at Bolton street, thence north along Bolton street to Bigelow avenue, thence north about thirteen hundred and two feet, to a point west of the center of Burns' avenue, as laid out from the east side of Main street east, thence east to the east side of Main street on Burns avenue, thence east on Burns avenue to Massillon street, thence south on Massillon street to Bigelow avenue, thence south to Ely avenue, crossing Meade, Harrington, Covington, Tioga, Stanley and Massillon streets to and into said Ely avenue, thence along Ely avenue to Victor street, thence crossing Victor, Hill, Yerger, Crystal and Johnson streets, to the section line east of Yerger addition to the south line of Yerger addition, thence east to the center section number eight, in Findlay township, Hancock County, Ohio, thence south to the Cleveland, Sandusky and Cincinnati Railroad, together with all branches and side tracks, and switches necessary for the manufacturing and business interests tributary to or dependent upon said Belt Railway.

SEC. 2. The permission so given and granted by section one of this ordinance is so given and granted, however, upon the terms, conditions and limitations hereinafter expressed and which are made part of and incorporated in said grant that is to say:

SEC. 3. That no more of said streets, avenues, or highways shall be taken, used, appropriated or occupied than is necessary for a single track, unless with the assent of the Council and abutting lot owners.

SEC. 4. That the track shall be laid and constructed to the grade of the streets, alleys, avenues and highways, along and across which it may pass, the ties not to be above the surface of the street.

SEC. 5. That all street and alley crossings, whenever required by the Council of said City, that is to say, where said railroad shall be constructed and maintained by said grantees, so as to afford safe and easy passage for the traveling public at all crossings, and in default thereof, that the City may construct such crossings, at the cost and expense of grantee or assigns and assess and make the same a lien upon the road as authorized by law in similar cases.

SEC. 6. That in the construction and operation of said road, no obstruction or hindrance to or any interference with the traveling public, or any public or private right shall be made or permitted.

SEC. 7. That said grantee and its assigns, and said railroad shall be subject to all proper and reasonable rules, regulations and ordinances of said City applicable thereto, now in force or hereinafter to be passed.

SEC. 8. That said grantee and its assigns shall permit the con-

nection by proper "Y" or other tracks between the track of said Belt Railroad, and the tracks of any other railway company, now or hereafter operating a railroad into or through said City and shall in every such case, pay one-half the cost of such connection and of the maintenance and repair thereof, except that it shall in no instance be required to pay for the construction, maintenance or repair of the half of more than 200 feet of each connection track.

SEC. 9. That said grantee and its assigns shall at all times so operate said Belt Road, and its branches, side tracks, switches and spurs, as to permit of their use and benefit on equal and like terms and conditions by any and all railroad companies now operating or that may hereafter operate any railroad into or through said City, connecting with said Belt Road, and shall switch and transfer all cars from said roads to and from the consignors thereof, without any discrimination between said roads as to charges therefor, and shall not charge a greater sum for switching or transferring cars, or for use of said Belt Road to any railroad, than to any other company, it being the intent and meaning hereof, that no discriminations either in rate, charges or terms or conditions of uses, shall be permitted in favor of or against any railway company, firm, person or associations or corporation in the use of said Belt Road.

SEC. 10. That said grantee and assigns for such switching, transfer or use of its track, therefor shall not charge more than two dollars per car.

SEC. 11. That if said grantee and its successors and assigns violate any of the provisions of Section 9, by discrimination or otherwise, it shall forfeit and pay to the company, firm or person so discriminated against, the sum of \$100, to be recovered by such company, firm or person by civil action in any court of competent jurisdiction.

SEC. 12. The said Belt Road shall be constructed, completed and in operation from the said commencement to the Lake Erie & Western Railroad within six months from the date of the passage hereof, and from said road to the Cleveland, Sandusky & Cincinnati Railroad, within twelve months from the date of the passage hereof, in default whereof this ordinance and all the grants, rights and privileges thereby conferred, shall be and become null and void, unless further time be given by the Council by resolution; provided, however, that the Belt Railroad Co., execute their bond with approved securities, approved by the Board of Improvements and the City Solicitor, in the sum of one hundred thousand dollars, that they will construct and finish the Belt Railroad to the C. S. & C., in eighteen months after the bond has been accepted and approved by the Board of Improvement and City Solicitor.

SEC. 13. This ordinance shall take effect as a contract, and said City and said grantees and assigns and as a grant of the privileges and franchises thereby conferred so soon as said grantee shall file with the Clerk of the City an acceptance of said ordinance and its terms and conditions in writing, signed by the President and Secretary of said, The Findlay Belt Railway Company.

RESOLUTION.

To extend time of building Findlay Belt Line Railway.

(Passed May 12, 1890.)

Be it resolved by the Council of the City of Findlay, Ohio, that the Findlay Belt Railway Company be granted an extension of time for the completion of the Belt Railway from the C. F. & N. Railroad to the L. E. & W. Railway until January 1, 1891, and of that portion from L. E. & W. Railway south to the C. S. & C. Railway until June 1, 1891.

AN ORDINANCE.

To grant The Findlay, Fort Wayne & Western Railway Company right of way on, along and across certain streets and avenues.

Be it ordained by the Council of the City of Findlay, Ohio:

SEC. 1. That there be and there is hereby granted to The Findlay, Fort Wayne & Western Railway company the right to use and occupy so much as may be necessary in the construction of its road, La-Grange avenue between the Lake Erie & Western railway and Lima avenue, and Sixth street from Lima avenue east across Main street to the Township line, upon the terms and conditions that it construct said road and track so as to conform to the established grade of said street and avenues respectively, to the acceptance of the Board of Improvements and the Council and maintain the Main street crossing with gate and watchman, and that said Company without unnecessary delay, place such streets and avenues in such a condition as not to unnecessarily impair their former usefulness to the public or prevent or impede travel thereon, and that it will keep so much of said streets and avenues as is used by them in good order and repair.

SEC. 2. That this ordinance shall take effect and be in force from and after the expiration of ten days after its first publication.

Passed February 15th, 1892.—*Vol. B, Page 235.*

AN ORDINANCE.

To grant The Findlay, Fort Wayne & Western Railway Co., permission to use certain streets and alleys.

Be it ordained by the Council of the City of Findlay, Ohio:

SEC. 1. That permission be and the same is hereby given and granted The Findlay, Fort Wayne & Western Railway company, its successors and assigns, subject however to the terms, conditions and limitations hereinafter referred to and made part hereof, to construct its railroad track and maintain and operate the same in said City along and upon the following route, streets, avenues and alleys to-wit:

Commencing at a point in the main tract of said The Findlay Fort Wayne & Western Railway where the same crosses Factory street, thence north on Factory street to the first alley South of the Lantern Works Grounds: Thence crossing said alley and Northwesterly

across said Lantern Works grounds to Lima avenue: Thence across said Lima avenue and north on first alley west of Factory street, crossing Frey avenue to the Table Works and there terminate.

SEC. 2. That this grant is made subject to the same terms, conditions and limitations prescribed in the ordinance of said city entitled "An ordinance to grant to The Findlay Belt Railway company permission to use and occupy certain streets, avenues and highways, in the City of Findlay and lay thereon its tracks and maintain and operate the same, also to erect, maintain and operate a Union Passenger Station," passed May 25th, 1891, which terms, conditions and limitations are hereby adopted in the granting of this franchise and are made part hereof.

SEC. 3. That this ordinance shall take effect and be in force from and after the expiration of ten days after its first publication.

Passed May 15th, A. D., 1893.—*Vol. B, Pages 23-51.*

AN ORDINANCE.

Granting to the Toledo & Ohio Central Railroad company, its successors and assigns, the right to construct and maintain a railroad track across Laquineo and Larkin streets entering alleys in the City of Findlay, Ohio.

Be it ordained by the Council of the City of Findlay, State of Ohio.

SEC. 1. That permission hereby is granted to the Toledo & Ohio Central Railroad company, its successors and assigns, to lay, construct and maintain a switch or line of track, starting from the main line of said Railroad, north of Laquineo street in said City of Findlay, Ohio, and crossing said Laquineo street in a southeasterly direction and the north end of the alley running north and south on the east side of and parallel out the main track of said Railroad, and extending to and crossing the alley running east and west south of Laquineo street and crossing Larkin street from lot number 3369 in said City to the factory site of the Buckeye Traction Ditcher company.

SEC. 2. That said track or switch shall be constructed and maintained upon and across said streets and alleys at grades to be furnished by the City Civil Engineer of said City and the construction thereof done and had under his supervision.

SEC. 3. That the resolution for the purpose of granting permission to cross the above named streets passed October 25, 1909, be and the same hereby is repealed.

SEC. 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed Nov. 22, 1909. Approved Nov. 22, 1909.—*Vol. D, Page 285.*

AN ORDINANCE.

Consenting to the use, by the Buckeye Pipe Line company, of certain streets and alleys of the City of Findlay, Ohio, for purposes, and

authorizing said company to operate and maintain thereon a telegraph system.

Whereas, for a number of years the Buckeye Pipe Line company, a corporation, has used for telegraph purposes, certain street and alleys hereinafter designated with the knowledge and consent of the City of Findlay and has operated and maintained a telegraph system thereon, and,

Whereas, The Buckeye Pipe Line company desires the written consent of the City of Findlay to use said route for said purposes for a period of twenty-five (25) years,

Now therefore be it ordained by the Council of the City of Findlay, State of Ohio.

SEC. 1. That, subject to the terms and conditions hereinafter set forth, the ordinances of the City of Findlay heretofore passed governing the use of the streets, alleys, and public highways of said City in the erection of telegraph systems and subject to such rules and regulations governing the use thereof as may hereafter be adopted by the City of Findlay, the consent of the City Council of the City of Findlay, Ohio, is hereby given to the said Buckeye Pipe Line company to maintain and operate a system of telegraph including all necessary poles, wires, and fixtures within said City upon and along the following route to-wit: Beginning at its offices in the Jones Building on West Crawford street thence west on West Crawford street to Cory street, thence north along Cory street to the first alley north of West Main Cross street, thence west in said alley to the right of way of the Lake Erie & Western railroad, thence northwesterly to the intersection of the west line of said right of way with West Front street, thence west along West Front street to Factory street, thence south along Factory street to West Main Cross street, thence west along said West Main Cross street to the corporation line.

SEC. 2. All poles shall be erected under the supervision and direction of the City Civil Engineer, and shall be erected so that neither they nor the wires strung thereon shall injure the support or working of the lines of any other corporation, company, or individual, previously erected and in such a manner as not to interfere with the public use of said highway or in any way to injure, obstruct or inconvenience any person in his rights to the free use of such highway as a public highway; nor in such a manner as to obstruct or inconvenience any public or private drive or passageway, or injure or obstruct any sewer, water or gas line. Said company shall restore the surface of said highway, which may be disturbed by it in the erection or maintenance of poles, to the condition in which it is found. In case the poles of said company shall interfere with the change of grade or change of curb line of any street or with any other public improvement, said company shall by order of the Council remove such poles at its own expense to conform to said improvement.

All poles shall be straight and neatly shaven and safe for the purpose for which they are used, and shall be imbedded in the ground not less than five (5) feet and shall not extend less than thirty (30) feet above the surface of the ground.

SEC. 3. Nothing in this ordinance shall be construed as to grant to

said company an exclusive right upon and along the above designated route.

SEC. 4. The City shall be privileged to use said poles in the operation of its telegraph system, provided, such use shall not interfere with the use thereof by said company.

SEC. 5. Said Company shall identify and save harmless the City from any claim for damage by the construction or negligent maintenance of said lines and shall be liable for any injury resulting therefrom to public or private property of any kind whatsoever.

SEC. 6. Said Company shall pay the costs of publication of this ordinance and shall file with the Clerk of Council its written acceptance within ten (10) days of the date of its passage.

SEC. 7. This ordinance shall take effect and be in force from and after its passage and due publication according to law, provided it is accepted by said Company within the time above provided.

Passed May 3, 1909. Approved May 6, 1909.—*Vol. D, Pages 251-252.*

FRANCHISE CENTRAL UNION TELEPHONE CO.

An ordinance granting to the Central Union Telephone company the right to place and maintain its poles and lines on the streets of the City of Findlay, Ohio, on the terms and conditions therein stated.

(Passed November 11, 1888.)

SEC. 1. Be it ordained by the Council of the City of Findlay, Ohio, that the right is hereby granted to the Central Union Telephone company, its successors and assigns, to build and maintain on the streets, alleys and public ways of said City, the poles wires and fixtures necessary or convenient for the supplying to the citizens of said City, and to the public, communication by telephone or other improved electrical device, all on the terms and conditions herein set forth.

SEC. 2. The location of the telephone poles now standing in said City is hereby approved if the same are purchased by said company and thereafter maintained in accordance with the terms of this ordinance, and any extension or change thereof shall be made under the directions of the Board of Improvements of said City Council.

SEC. 3. The right hereby granted shall not be exclusive, but the Council reserves the right to grant a like use to any others, provided, the same shall not interfere with a reasonable and proper use of the privileges hereby granted.

SEC. 4. Said poles shall be painted and kept painted, wires and fixtures shall be placed and maintained so as not to interfere with travel on said highways, and said company its successors and assigns, shall always hold said City harmless by reason of any failure so to do or negligence in said occupancy, and Council reserves the right to pass any reasonable ordinance or regulations of a police nature which it may at any time be authorized and see fit to adopt not destructive of the right hereby given.

SEC. 5. No poles shall be placed so as to interfere with any sewer pipe or gutter authorized by Council, and in case of bringing to grade

or change of grade on any street or alley said company shall, at its own expense, erect its poles so as to conform thereto.

SEC. 6. In consideration whereof said Central Union Telephone company shall agree to allow the City to attach at any time to any of said poles the City's fire alarm or police wires, and said poles are made a municipal instrumentality for that purpose; provided, said attachments and said City's use shall not be so made or continued as to interfere with said company's use, and said attachment shall be made and maintained under the direction of said company's manager in said City. The said company is to furnish for City business, free of charge, and with exchange service so long as an exchange is maintained hereunder: One telephone at the Mayor's office, one at the residence of Chief of Fire Department, and one at each fire engine or hose house which the City maintains or may hereafter maintain, also such other telephones for the City's business as the Council may hereafter by resolution require at twenty-five per cent discount from the regular rates from time to time charged for business purposes; provided, that for each of said telephones the Company's regular form of contracts shall be previously signed containing the terms of payment herein provided for.

AN ORDINANCE.

Granting to the Findlay Telephone company the right to place and maintain its poles and lines on the streets and alleys of the City of Findlay, on the terms and conditions stated.

Be it ordained by the Council of the City of Findlay, Ohio.

SEC. 1. That the Findlay Telephone company, its successors and assigns, be granted permission and authority to enter upon the streets, alleys and public ways in said City of Findlay, and to construct, erect and maintain on, along and over said streets, alleys and public ways, poles, wires and other appliances and fixtures for the purpose of erecting, operating and maintaining an electric telephone exchange to supply to the citizens of said City and to the public at large, communications by telephone or other improved device on the terms and conditions herein set forth subject to all the general provisions of the statutes of Ohio and under such reasonable rules and police regulations relating respecting such streets, alleys and public ways as have heretofore been adopted by said Council provided, however, that no poles shall be erected on or along Main street between Howard run on the north and the Findlay, Ft. Wayne & Western R. R. on the south.

SEC. 2. The authority and permission herein granted are subject to the following terms and conditions:—All poles used in the construction and maintenance of said telephone lines and planted upon or along any of the streets or alleys within said City of Findlay, shall be of sound cedar wood, properly trimmed or shaved and dressed down, and all poles on streets shall be kept painted. All poles and appliances of said Company shall at all times be kept in a good and safe condition and the said poles shall be so planted as not to in any unnecessary way object or interfere with the use of sidewalks, alleys and streets of said City, or unnecessarily hinder, obstruct or impede public travel thereon,

and all flagging sidewalks and earth around each poles shall be well filled and levelled and shall be so maintained by the said Findlay Telephone Company, its successors and assigns.

SEC. 3. All streets, alleys and public ways upon which said company may enter for the purpose assigned shall be left in as good conditions as they were in at the time of said entry, and no pole shall be so placed as to interfere with any sewer pipe, gutter or gas or water pipe located in such streets, alleys or public ways, placed by order of City Council or board of gas Trustees or Board of Water Works Trustees of said City.

SEC. 4. The cross-arms, brackets, insulators, pins and wires, shall be so attached to said poles placed upon the streets as not to be less than twenty feet above the ground and wires or cables thrown across any street shall not be less than twenty feet above the ground at any point. The steps or attachments for climbing any poles shall not be nearer to the ground than six feet and in all cases such poles and wires attached thereto shall be so erected and constructed as to in no wise come in contact with or interfere with any fire alarm, telegraph or other wires used by said City of Findlay, or in any department of said City.

SEC. 5. Said, The Findlay Telephone company, its successors and assigns, shall at all times save the City of Findlay harmless from any neglect or damage arising from the exercise of rights herein granted, and the said company shall be liable to the said City for any damage that may occur in consequence of any carelessness in the erection of said poles or in the maintenance of said lines in the City.

SEC. 6. Said telephone line shall be erected and constructed under the supervision of the City Civil Engineer and at the expense of the said The Findlay Telephone company and the said City shall have the right to use the poles of said company should it so desire for the purpose of supporting police, fire alarm, telephone and other wires for City purposes provided:—That the use of said poles by said City shall not interfere with the wires of the said, The Findlay Telephone company.

SEC. 7. The said, Findlay Telephone company shall furnish for the City business free of charge with exchange service, so long as the exchange is maintained hereunder:—One telephone at the Mayor's office, one at the City clerk's office, one at the residence of the Chief of the Fire Department, and one at each fire engine house which the city now maintains or may hereafter maintain.

SEC. 8. It is further ordained that, as a condition of this grant, the said, The Findlay Telephone company, its successors and assigns, shall commence the construction of this plant in good faith within six months after the acceptance of this ordinance and prosecute the same to completion without unnecessary delay, and thereafter shall maintain and operate said plant continuously during the term of this grant. The charges for rentals of telephones and all services within said City within one mile of the Court House in any direction, shall not exceed the price of Twenty-four (\$24.00) Dollars for business telephones and Twelve Dollars per year for residence telephones and if said The Findlay Telephone company, its successors and assigns, shall increase the price for the use of its telephones above the price in this

section, or shall fail to commence the construction of this plant within the time limited or fail to maintain the same continuously, then the right of said company, its successors and assigns, shall terminate.

SEC. 9. This ordinance shall be accepted by the said, The Findlay Telephone company within thirty days from and after its final passage and approval. The rights herein granted shall continue in force for and during the period of twenty-five years from date of passage of this ordinance.

SEC. 10. This ordinance shall take effect and be in force from and after its passage and regular publication provided, it is accepted as aforesaid.

Passed April 12, A. D., 1897.—*Vol. C, Page 77.*

AN ORDINANCE.

To grant to the United States Telephone company the privilege to erect, plant and maintain a line of electric telephone poles, wires and appurtenances along and upon Cory street in the City of Findlay, Ohio, and in other places as follows:

SEC. 1. Be it ordained by the Common Council of the City of Findlay, Ohio, that the right is hereby granted to the United States Telephone company, its successors and assigns, for the term of ten years to erect, construct, maintain and operate a toll line of telephone poles, wires and appurtenances on the east side of Main street from the north corporation line of the City of Findlay to the intersection of Bigelow avenue, thence west on Bigelow avenue to Broad avenue, thence south on Broad avenue to an intersection with its own line at the Broad avenue bridge: and from an intersection with its own lines on Cory street at the intersection of said Cory street with Sandusky street, thence along said Cory street and the alley projected south to the intersection of Jeffras avenue, thence along said Jeffras avenue to the intersection of Main street, and thence along the east side of said street to the south corporation line of the City of Findlay, Ohio, also from an intersection with its own lines on the corner of Cory street and the first alley north of Lima street in a westerly direction to Factory street, thence south to Lima street, thence west to Lake Erie & Western R. R. company, thence along the said railway on a private right-of-way to the west corporation line of the City of Findlay, Ohio, provided, however, that before any poles are erected by said grantee, its successors or assigns, under this grant, satisfactory arrangements and settlements shall be by it or them made with the owner of lots and lands on said street adjacent to that point where said poles are located.

SEC. 2. This ordinance is granted subject to the same terms and conditions as the ordinance entitled "An Ordinance to grant to The Western Telephone and Telegraph company the right to erect, maintain and plant a line of electric wires along and upon certain streets in the City of Findlay, Ohio," passed by the Common Council of the City of Findlay July 13, 1896.

SEC. 3. This franchise and right is granted on the condition and

with the express stipulation that this franchise shall not be sold, transferred, leased nor assigned, without the consent of the Council thereto first given by amendment to this ordinance; nor shall any use of the telephone line erected under this ordinance be granted or permitted by said company without like consent of the Council first obtained.

SEC. 4. This ordinance shall take effect and be in force from and after ten days after its passage and legal publication.

Passed November 27, A. D., 1899.—*Vol. C, Page 67.*

AN ORDINANCE.

Granting to Findlay Home Telephone company the right to erect, maintain and operate a telephone exchange and system of Telephone lines in the City of Findlay.

Be it ordained by the Council of City of Findlay, Ohio.

SEC. 1. That the Findlay Home Telephone Company, their associates, successors or assigns, for and during the term of twenty-five years from the passage of this ordinance, be and they hereby are empowered and authorized to build, acquire, operate and maintain a telephone exchange and system of telephone toll lines in connection therewith in the City of Findlay, Ohio, and for that purpose are hereby authorized to enter in, upon, and use the streets, alleys, avenues and other public places and grounds of said City for the purpose of erecting and fixing the necessary poles, wires and all things requisite to the successful maintenance and operation of said telephone system both aerial and under ground.

SEC. 2. That in pursuance of the rights herein granted said, The Findlay Home Telephone Company, their associates, successors or assigns, are hereby required to locate the poles, posts and other structures so as not to interfere with public travel, nor the flow of water or drainage within said City, and are further required to replace any and all portions of the street, alleys, avenues or other public grounds within said City which may be by them interfered with in the erection, maintenance, operation or abandonment of said Telephone system in as good condition as they were prior to such interference or use.

SEC. 3. Be it further ordained that The Findlay Home Telephone company, their associates, successors or assigns, are hereby limited in the prices to be charged for regular exchange service within the corporate limits of said City of Findlay, under the powers herein granted as follows, to-wit:—The charge for residence service shall not exceed \$12.00 per annum, and the charge for offices shall not exceed \$24.00 per annum and the charge for business service shall not exceed \$30.00 per annum, all payments payable quarterly in advance.

SEC. 4. Be it further ordained that the rights herein granted shall lapse and become void unless the said The Findlay Home Telephone company, their associates, successors, or assigns, shall begin the work of erecting said telephone exchange within two months from the time this ordinance takes effect, and have the same completed within twelve months thereafter, provided, however, that if delayed in the progress of

said work by strikes, legal proceedings, or other unavoidable cause or causes, then the limitation as to the commencement of the work and the completion of the same is hereby extended for such period as the said, The Findlay Home Telephone company, their associates, successors, or assigns may be so delayed.

SEC. 5. Be it further ordained that in consideration of the rights herein granted and as a pre-requisite to the enjoyment of the same, the said, The Findlay Home Telephone company, its successors, associates or assigns, shall furnish to the City of Findlay such number of telephones to be located at places designated by City Council of said City and not to exceed ten (10) in number as may from time to time be required, and to maintain the same in good order and to operate such telephones in connection with their central office or exchange within said City free of all expense to said City and all additional telephones required by said City, or any of the boards thereof, at the rate of one dollar per month.

SEC. 6. All poles and posts used in the construction of said exchange shall be straight and sightly and shall be painted and kept in good order.

SEC. 7. That the City of Findlay shall have the right to fix to the top of any and all poles erected under this franchise the necessary fixtures to carry its fire alarm and police patrol wires, and said City shall have for said purpose the exclusive use of the two outside pins on the top arm of each pole and said wires shall be located and erected under the direction of the manager or superintendent of said company.

SEC. 8. All poles, posts and other fixtures shall be located subject to the limitations hereinbefore provided under the direction and with the consent of the Board of Improvements and City Engineer of said City of Findlay, due regard being had for the convenience and welfare of said, The Findlay Home Telephone company, their associates, successors or assigns.

SEC. 9. This ordinance shall take effect and be in force from and after the earliest period allowed by law, and all ordinances and parts of ordinances in conflict herewith be and the same are hereby repealed.

Passed July 2, A. D., 1900.—*Vol. C, Page 97.*

AN ORDINANCE.

Granting to T. W. Klingenberg, his successors and assigns, the right to establish, maintain and operate a system of waste paper receptacles in the City of Findlay, Ohio.

Be it ordained by the Council of the City of Findlay, Ohio.

SEC. 1. That the right and authority is hereby given and granted to T. W. Klingenberg, his successors and assigns, to establish, maintain and operate along the streets, alleys and sidewalks and public places of the City of Findlay, Ohio, a system of metal boxes or receptacles for the temporary reception and accumulation of waste paper, trash and litter. Said right and authority is hereby given and granted to said T. W.

Klingenberg, his successors and assigns, exclusively, for the period of ten (10) years.

SEC. 2. Said boxes or receptacles shall be constructed of sheet iron or other equally desirable material, and shall be put together in a workman-like manner, and shall not be larger than the following dimensions, to-wit: The said receptacles shall sit upon legs not more than (8) inches high; the receptacles proper shall not be of a height greater than forty-eight (48) inches in the clear, and shall have a top sign thereon not greater than six (6) inches in height, and shall not be more than thirty (30) inches in greatest width and twenty-four (24) inches in the narrowest width. They shall be designed and constructed in a manner suitable for the temporary reception, deposit and accumulation of waste paper, as well as such other trash and litter which is ordinarily thrown upon the public streets and highways. They may be placed in and along such streets, alleys and sidewalks in the City of Findlay, as Board of Public Service may select, and the number of boxes to be so placed and maintained shall not be less than one hundred (100).

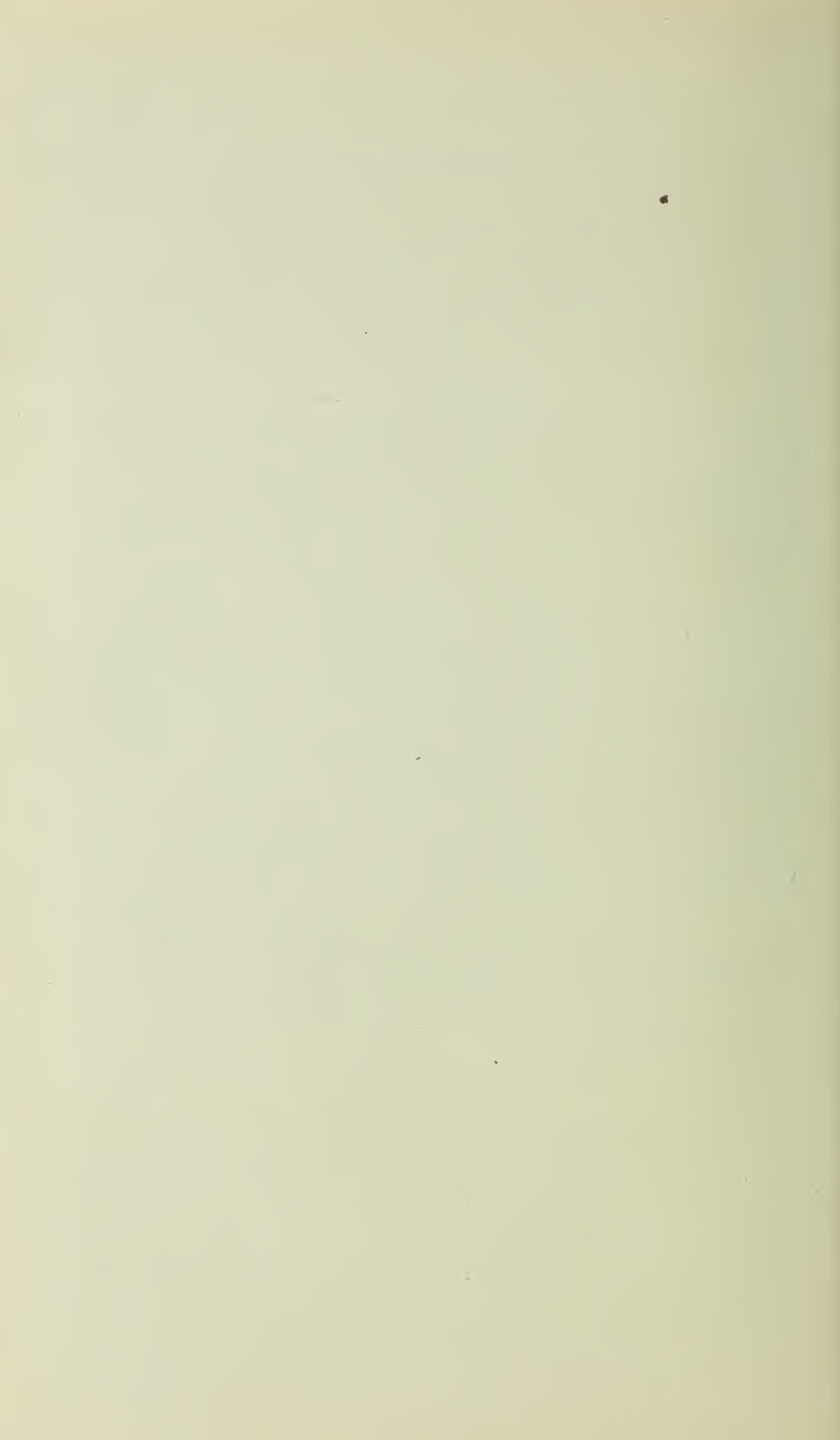
SEC. 3. Said T. W. Klingenberg, his successors and assigns, shall keep and maintain said boxes or receptacles in first-class mechanical condition, in consideration of which T. W. Klingenberg, his successors and assigns, shall have the exclusive right, privilege and authority to place advertisements on said boxes or receptacles for the benefit of himself, his successors and assigns, provided, however, that no advertisement of immoral or disreputable character shall be placed thereon.

SEC. 4. Said City of Findlay shall at all times and as frequently as shall be necessary remove, at its own expense, all waste paper and other litter that shall be deposited in said boxes or receptacles, and shall keep said boxes or receptacles in a clean and sanitary condition.

SEC. 5. Said T. W. Klingenberg, his successors and assigns, shall file with the Clerk of the City of Findlay his or their written acceptance of this ordinance within ten (10) days after its passage and publication, and the work of establishing and maintaining said system of boxes or receptacles as herein provided shall be begun within sixty (60) days after the filing of said acceptance.

SEC. 6. This ordinance shall take effect and be in force from and after its passage and legal publication.

Passed March 2, 1903.—*Vol. C, Page 247.*



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